United Nations S/PV.6422

# Security Council
Sixty-fifth year

*Provisional*

**6422**nd meeting
Friday, 12 November 2010, 3 p.m.
New York

| | | |
|---|---|---|
| *President:* | Sir Mark Lyall Grant | (United Kingdom of Great Britain and Northern Ireland) |
| *Members:* | Austria | Mr. Mayr-Harting |
| | Bosnia and Herzegovina | Mr. Barbalić |
| | Brazil | Mrs. Viotti |
| | China | Mr. Li Baodong |
| | France | Mr. Araud |
| | Gabon | Mr. Issoze-Ngondet |
| | Japan | Mr. Nishida |
| | Lebanon | Mr. Assaf |
| | Mexico | Mr. Heller |
| | Nigeria | Mr. Onowu |
| | Russian Federation | Mr. Churkin |
| | Turkey | Mr. Apakan |
| | Uganda | Mr. Rugunda |
| | United States of America | Mrs. DiCarlo |

## Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2010/562)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-63455 (E)

Please recycle

*The meeting was called to order at 3.10 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

**Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2010/562)**

**The President**: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 37 of its provisional rules of procedure to His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Jeremić (Serbia) took a seat at the Council table.*

**The President**: On behalf of the Council, I wish to extend a warm welcome to His Excellency Mr. Vuk Jeremić.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lamberto Zannier, Special Representative of the Secretary-General and head of the United Nations Interim Administration Mission in Kosovo.

It is so decided.

I invite Mr. Zannier to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mrs. Vlora Çitaku.

It is so decided.

I invite Mrs. Çitaku to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I wish to draw the attention of Council members to document S/2010/562, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

At this meeting, the Security Council will hear a briefing by Mr. Lamberto Zannier, to whom I now give the floor.

**Mr. Zannier**: The report before the members of the Council details the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) from 16 July to 18 October 2010. Today, I wish to highlight the major challenges and successes of the reporting period, as well as the principal challenges that lie ahead and how we believe they can best be met.

There has been one major development since the publication of the report. On 2 November, the Assembly of Kosovo supported a no-confidence motion against the Government, and the Acting President issued a decree for early general elections, to be held on 12 December. Those developments follow the resignation of President Sejdiu and the collapse of the Government coalition on 18 October.

Since the issuance of the advisory opinion of the International Court of Justice, in July, there has been growing unease on the part of the Kosovo authorities in cooperating with UNMIK in two areas of our mandate implementation, namely, the facilitation of regional cooperation and the administration of northern Mitrovica. Although concerned that UNMIK's facilitation of their presence at regional forums undermines their declared sovereign status, Kosovo's institutions have so far continued to take part in most regional mechanisms in which their participation currently requires such facilitation.

Regrettably, however, during this reporting period they stopped participating in the Regional Cooperation Council. The Council deals with issues of importance for the development and long-term stability of the region — including those of economic and social development, energy and infrastructure and justice and home affairs — as well as cooperation in the security sector. By choosing not to participate during the reporting period, the Kosovo institutions lost valuable opportunities to benefit from regional cooperation on issues ranging from education to digital media. More opportunities will be lost should they decide not to re-engage with the Council.

While the choice to participate in such initiatives is one for the Kosovo authorities, we have steadfastly discouraged them from choosing the path of isolation. Kosovo's long-term stability and prosperity is inextricably linked with that of its neighbours. Participation in structures fostering regional cooperation is key to the development needed to ensure long-lasting peace in the region, and to the hope of a better future for its people. That is a common goal of both Pristina and Belgrade. The challenge has been, and remains, finding practical solutions to political obstacles.

With the requisite goodwill, Pristina and Belgrade can find such solutions. UNMIK will continue to provide its assistance and to propose practical ways to overcome political obstacles. But we believe that such solutions can be sought most effectively through a dialogue between the parties. In that regard, the Central European Free Trade Agreement (CEFTA) presents an impending opportunity for Belgrade and Pristina to put politics aside in pursuit of a fundamental stepping stone towards the European perspective of the region. The Kosovo institutions have recently resumed attendance at CEFTA meetings, in spite of the continuing refusal of some CEFTA members to accept the new Kosovo customs stamps endorsed by UNMIK. That is a step in the right direction, and one that I hope signals that Pristina will ultimately choose to continue on the path of regional cooperation. I also hope that all CEFTA members will accept without further delay the Kosovo customs stamps endorsed by UNMIK.

During this reporting period, we also encountered a serious challenge to our management of the Administration of northern Mitrovica. The publication of an inaccurate report on the UNMIK Administration in Mitrovica (UAM) by the coordinator of the "Office for Implementation of the Strategy for the North of Kosovo", blaming the UAM for lack of progress in the implementation of the strategy, was followed by an intense media campaign against the UAM and, more worryingly, against my staff in northern Kosovo in their individual capacities. For my part, I swiftly and firmly took issue with the potential endangerment of my staff by their being singled out in the press, including immediate steps to ensure their safety.

While the Kosovo authorities have nevertheless continued to channel municipal funds to the UAM for the benefit of the inhabitants of northern Mitrovica, regrettably representatives of the Kosovo Albanian villages in northern Mitrovica and the Kosovo Albanian authorities at the municipal level have been reluctant to engage with us recently, making it more difficult for us to facilitate contacts between the communities.

Indeed, inter-ethnic relations in northern Kosovo appear to be deteriorating. While overall the situation remained stable during the reporting period, continuing incidents in northern Kosovo have highlighted the strong potential for instability there and the urgent need to address the issues that continue to create friction between the communities. Since the end date of the report, low-level interethnic incidents have persisted, and with them the danger of igniting wider-spread violence.

Our key challenge in northern Kosovo remains to mediate between the communities, as well as to serve as a bridge between northern Kosovo and the Pristina authorities. To improve our ability to meet this challenge in northern Mitrovica, we are reviewing the way the UAM operates in order to enhance its ability to serve as a link between the communities. To that effect, we are engaging with the European Union (EU) and other international partners in order to develop a shared understanding of the policies required to address the challenges in northern Kosovo. In addition, we are coordinating our actions with the United Nations Kosovo team, within the context of our recently completed Integrated Strategic Framework.

Nevertheless, our overall assessment is that the tensions in northern Kosovo and the attempt to scapegoat UNMIK for the lack of progress there are reminders of the pressing need for the dialogue called for by the General Assembly. We also believe that two other key issues regarding which progress is falling short of expectations — those of missing persons and returns — can also be most effectively addressed through dialogue between the parties. I am encouraged that the recent internal political events in Pristina have not created an obstacle to the preparations for the dialogue, and that the preparatory phase is under way in Brussels. For our part, we are working with the EU to provide the United Nations support and contribution to this important process.

There has been other encouraging news that I wish to highlight. On 1 October, in a coordinated action with the Office of the United Nations High Commissioner for Refugees, Mercy Corps International and Roma and other residents of the Česmin Lug camp,

the UAM finally closed and sealed off the camp so that it cannot be reinhabited. With the support of the Mitrovica municipality, its former residents relocated to homes newly constructed by the United States Agency for International Development in the Roma Mahala area, or to Osterode camp to await the construction of additional homes funded by the EU. While not forgetting that the closure of Česmin Lug, with its unhealthy conditions, was too long delayed, I am heartened to finally be able to report concrete progress in the living conditions of some of Kosovo's Roma, Ashkali and Egyptian residents.

In that context, I must bring to the Council's attention the prospect of increased forced returns to Kosovo of Roma and other vulnerable groups, following the conclusion of readmission agreements between Kosovo and Western European Governments that host significantly large numbers of displaced persons from Kosovo. These returns, if unmanaged, will further strain Kosovo's already limited absorption capacity and increase the risk of secondary displacement and further marginalization. That has real potential to derail progress, not only in the overall returns process but in improving inter-ethnic relations and securing long-term stability in Kosovo. I therefore urge repatriating countries and the Kosovo authorities to ensure that those returns are managed prudently and do not result in a humanitarian crisis.

In conclusion, on behalf of all UNMIK staff, I wish to thank the Council for its support and to assure it that we will continue to perform UNMIK's mandated functions to the best of our ability. UNMIK will continue to offer its facilitation and good offices. We hope that both Belgrade and Pristina will take advantage of that offer. Our goal remains to consolidate the peace that the people of Kosovo and so many in the international community have worked so hard for so long to keep.

**The President**: I thank Mr. Zannier for his briefing.

I now give the floor to His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

**Mr. Jeremić** (Serbia): This afternoon, we meet again for a regular meeting of the Security Council on the United Nations Interim Administration Mission in Kosovo (UNMMIK) pursuant to resolution 1244 (1999). I welcome the presence of Special Representative Lamberto Zannier.

The United Nations remains an indispensable actor in the province. We believe that it is critical for all responsible stakeholders on the ground, together with the Security Council, to reaffirm support for UNMIK as a strong pillar of peace and stability. It is equally critical for stakeholders to fully cooperate with UNMIK at all times, including in the work it does at the municipal level through the UNMIK Administration in Mitrovica.

The status neutrality of the United Nations — and that of all organizations that operate under its overall authority, such as the Kosovo Force (KFOR), European Union Rule of Law Mission in Kosovo (EULEX) and the Organization for Security and Cooperation in Europe (OSCE) Mission in Kosovo (OMIK) — remains the only acceptable framework within which all of us can work together to improve the lives of ordinary people in Kosovo, irrespective of their ethnicity.

Serbia highly appreciates the unwavering commitment of the United Nations to maintaining the external representation function of UNMIK, which is its obligation under resolution 1244 (1999). However, we are deeply concerned by the fact that the province's ethnic Albanian authorities have actively resisted such a role by the United Nations of late, as the report under discussion points out. That situation is highly regrettable, for "should this policy continue over time, it might result in increasing isolation of Kosovo", to quote the report (S/2010/562, para. 54). We hope Pristina will come to embrace the more constructive approach offered by UNMIK and supported by this Council.

The report highlights the fact that there has been no significant change in the consistently low numbers of returns of internally displaced persons to the province — only 233 Kosovo Serbs in three months, to be exact, out of a total of 205,835 expelled since June 1999, according to figures from the Office of the United Nations High Commissioner for Refugees.

In addition, the report refers to the 3 October enthronement of our Patriarch Irinej in the spiritual home and administrative centre of the Serbian Orthodox Church for the past eight centuries, the city of Peć. In his enthronement address to the faithful, His Holiness emphasized the importance of reconciliation when he said:

> "Appealing in this solemn moment from this sacred place with love and respect not only for

the Serbian Orthodox in Kosovo, but also for the honourable Albanian people and all other local inhabitants here, we invite them to peace and unity, always predicated upon divine and human justice".

For some, the words of His Holiness were overshadowed by the stoning of buses full of pilgrims on their way back from the holy site and by what today's report mentions in passing as "posters placed prior to the ceremony along the road to the Patriarchate depicting the Patriarch as a war criminal" (ibid., para. 49). The posters also portrayed the Patriarch as a demonic figure. That kind of incident can only serve to enflame the passions of extremists on both sides. It is deeply regrettable that no international or local officials condemned that act and that no investigation was carried out to uncover the perpetrators of that hate crime.

The report draws attention to continuing efforts by the authorities in Pristina to unilaterally alter the complex reality on the ground, especially in north Kosovo. It underlines the fact that the situation "has remained unstable, and tensions have grown" (ibid., para. 59). One event that triggered tensions, according to the report, was the insistence by the ethnic Albanians to try to alter the status quo in north Kosovo by authorizing a construction project without approval by the UNMIK Administration in Mitrovica.

Another event, according to the report, was the deployment of Kosovo Police Regional Operations Special Units to north Kosovo without agreement with EULEX. The unsanctioned act of sending those paramilitaries, the vast majority of whom are ethnic Albanians from south Kosovo, is perceived by the majority that lives in north Kosovo as a provocation and an incitement to violence.

During this reporting period, the authorities in Pristina unfortunately resorted to unilateral action against Serbian targets in other parts of the province as well. For example, in late September, armed teams of ethnic Albanians brought down Serbia Telecom's mobile and fixed telephony network in south Kosovo, including equipment located in isolated enclaves and monastic communities. Aside from the significant material damage that resulted, the destruction of that network immediately affected approximately 100,000 south Kosovo Serbs, disrupting their ability to communicate beyond their enclaves. That is a serious breach of contemporary humanitarian norms.

As the report underscores, that carefully orchestrated operation disrupted the normal functioning of several licensed Kosovo Serb media outlets. It also affected access to emergency services, with hospital officials in Gračanica ascribing several fatalities to the inability of patients to call for help.

The report informs us that the ethnic Albanian authorities in Pristina called their elections, which, according to news reports, may take place next month. Unfortunately, those elections are not being held in accordance with resolution 1244 (1999). Since the Special Representative of the Secretary-General did not call them, the OSCE will not monitor them and the United Nations will not certify them. Under such circumstances, it is plainly impossible for the Government of Serbia to invite any of our citizens to participate in them.

The world has supported by acclamation the fact that dialogue is the only road to peace in Kosovo — the only way both dignity and stability can be delivered to Serbs and Albanians alike.

The European Union's facilitation role and its capacity to act as an honest broker could play a decisive role in moving us towards a new, more promising moment. We hope that our differences may now be readdressed in less adversarial circumstances. For us, the dialogue means negotiating and being open to compromise. It is about overcoming prejudices and taming passions.

A fair and balanced process could become the catalyst for harnessing the forces of moderation — an instrument for those seeking to rebuild bridges and begin reconciliation in earnest. It could also provide a critical boost to securing a peaceful European future for the entire Western Balkans. Serbia wants this dialogue to begin as soon as possible, and we expect it to focus on the least controversial issues first. Early successes should be able to be leveraged as a way to build momentum for further achievements when we proceed to other, more delicate topics.

The journey to creative solutions will require political imagination, respect for our democracy and great skill. We hope we can enter a phase in which all parties will leave behind anachronistic analyses and diplomatic ambushes and instead concentrate on the task at hand.

Serbia has always maintained that Pristina's attempt to secede unilaterally is a violation of the basic principles of the United Nations Charter and the Helsinki Final Act, as well as of resolution 1244 (1999). Our principled position, enshrined in our Constitution, remains unchanged: we shall not recognize Kosovo's unilateral declaration of independence, explicitly or implicitly. As we would for any other place in the world, we believe there can never be a sustainable solution to an issue of such magnitude without the consent of all stakeholders.

We hold the firm view that the continued pursuit of recognitions of the unilateral declaration of independence is futile and counterproductive. Everyone who wanted to make a point has already made it, and we still do not have a settlement. A vast majority of States Members of the United Nations have refrained from recognizing the unilateral declaration of independence. On behalf of the Republic of Serbia, allow me once again to sincerely thank those countries for their support and solidarity. We appeal to them to stay the course throughout the dialogue process.

We believe it is critically important that no impediments be placed on the road the stakeholders have committed to take. It would be equally harmful if someone tried to alter realities on the ground while discussions are under way. Any attempt to change those realities unilaterally or through the use of force would dramatically, and perhaps fatally, undermine the dialogue.

That is one of the many reasons why the reporting function of the United Nations remains indispensable. Serbia welcomes the Secretary-General's commitment to report all developments in the dialogue to the Security Council. Its centrality and leading role in determining and providing legitimacy to a comprehensive settlement remains paramount in accordance with its resolution 1244 (1999) and the primary responsibility to maintain international peace and security assigned to it by the United Nations Charter.

No one in this Chamber should doubt our readiness to be a true partner in forging a transformative peace. But we cannot do so alone, for in the twenty-first century no side can ever triumph by demanding unilateral concessions or seeking to maximize narrowly conceived objectives. Win-win solutions are impossible to find with zero-sum attitudes. Serbia, for its part, will spare no effort; we will neither tire nor lose our nerve. Without denying either the good or the ills of the past, we shall confidently continue to pursue our vision of the future.

Out of respect for our ancestors — but even more because of the generations that will follow — we shall leave no stone unturned in our quest to achieve a legitimate compromise. But this we shall seek not out of fear or under duress. Rather, we shall do so on the basis of our belief that, if we act together in good faith, we can finally transform that plot of land, so rich in history and dear to both peoples, from one of contention to one of harmony.

**The President**: I now give the floor to Mrs. Çitaku.

**Mrs. Çitaku**: It is an honour for me to address the Council during a period of paramount importance for the establishment of long-term prospects for peace and prosperity not only in the Republic of Kosovo, but also in the rest of the Balkans.

I wish to thank the Secretary-General and his Special Representative, Mr. Lamberto Zannier, for their efforts deployed in Kosovo during the period under review. These efforts, in the context of broader assistance from the International community, have contributed to stabilizing our region after the dreadful wars of the 1990s and to building democratic institutions in Kosovo.

We continue to pledge our unreserved support to all efforts to build peace and security in the Western Balkans, and we are happy to report that these continued efforts of the international community have been brought to fruition. After the atrocities committed by the regime of Slobodan Milošević in Bosnia, Croatia and Kosovo, the independence of the Republic of Kosovo has brought lasting peace and stability and a brought the new European integration agenda to the forefront.

Today in the Balkans, all States are governed by democratically elected Governments, yet we all face similar transitional challenges and support is still needed to help us overcome the last obstacles to becoming full members of the European Union.

I am particularly pleased to address the Security Council at a time when developments in the Republic of Kosovo reflect the significant progress achieved in

building strong democratic institutions and sound constitutional framework.

In September, the Constitutional Court of Kosovo ruled that the President of the Republic could not exercise the function of President of Kosovo while maintaining the leadership of his political party. President Sejdiu, in honouring the decision of the Court, resigned. Following a vote of no-confidence, Parliament was dissolved and extraordinary elections are scheduled for 12 December. As on previous occasions, the December elections will be fair and free, and will reflect the will of Kosovo's citizens. The Government has called for and welcomes international observers for these elections. The recent political developments in the Republic of Kosovo proved yet again the political maturity of our established democratic system. Throughout this period, the Constitution and parliamentary rules and procedures were strictly followed and observed.

Kosovo is a multi-ethnic society and its Government remains fully committed to the greater social, political and economic inclusion of minorities in the mainstream of Kosovo society. In our most recent address to the Council (see S/PV.6367), we reported that all minorities, including Kosovar Serbs, have taken an increased interest in participating in democratic processes and local elections. We are in the process of completing the entire decentralization plan of President Ahtisaari, which guarantees unprecedented legal protection and affirmative rights to minorities.

All minorities, including Kosovar Serbs, enjoy direct and undisputed benefits by participating in the democratic life of the State they live in. This is more imperative in the view of the forthcoming parliamentary elections. Therefore, we consider that this is the best time for the international community to reaffirm its commitment to the stability of Kosovo by calling on Kosovar Serbs to participate in forthcoming elections and on the Serbian Government not to obstruct their participation in the elections.

New Serbian municipalities in Kosovo recorded the participation of over 50 per cent of local Serbs in the most recent local elections. Regrettably, the same does not hold true for the North of Kosovo, where the influence of Belgrade is still preventing the process of integration into Kosovo's public and institutional life. It is with great regret that I report that, over the past three months, there have been more than five armed attacks in the North of Kosovo against Kosovar Serbs who had decided to participate in Kosovo's public and political life. We have noted that these developments still go unreported in Serbia.

Having said that, we are proud to report that Kosovo Serbs and other minorities have now submitted over 20 electoral lists for the upcoming elections, and we are pleased that members of civil society, as well as several parliamentary parties in Serbia, are asking for a change of the Serbian Government policy to boycott everything representing the Republic of Kosovo, even after the International Court of Justice concluded that Kosovo's declaration of independence did not violate international law.

While local constitutional and political developments have occupied the minds of local and international actors, as well as the agenda of our State institutions, other positive developments have been recorded in regard to the process of the formal recognition of Kosovo's independence. Seventy-one countries have now recognized Kosovo, and over 100 Members of the United Nations are now recognizing Kosovo's documents. However, we regret that the Government of Serbia completely ignores and does not recognize any document issued by the Republic of Kosovo. Our license plates, customs stamps, passports, school diplomas and bank statements are recognized by the entire European Union (EU), and even by those countries that have not yet formally recognized our independence, but are not recognized by Serbia. This policy not only hampers student exchanges, family visits, normal trade and business relations, but also prevents and delays the reconciliation process among our peoples.

We are also glad to report positive progress in terms of the return process. By the end of this year, we expect a record 1,300 returnees, a process facilitated greatly by our Government jointly with United Nations agencies and donors. We are aware that more needs to be done, and we are fully committed to successfully completing this process. But while we continue to maintain a welcoming policy for all Kosovo citizens who want to return to their homes, we wish to remind the Council that, if we are to achieve tangible progress, we need the support of our partners in Belgrade. Again, I would like to emphasize that the active participation of the Serb minority in the upcoming elections will be crucial for them, as it will ensure further integration,

which will translate into more opportunities, stronger representation and increased living standards.

Religious freedoms and dialogue have been further strengthened, and the best examples of this are the successful organization of the enthronement of the Serbian Patriarch in the territory of the Republic of Kosovo, the opening of a new Catholic cathedral in central Pristina, and the increased efforts to improve communication among all communities and religions.

The Kosovo Police have done a great job in securing Kosovo's religious sites following the departure of the International Security Force in Kosovo. While we regret the incidents that have occurred in some locations, we will respectfully point out that these isolated incidents have been mostly of a non-ethnic nature.

The most important development that strengthened our young country unfolded here in New York. After the International Court of Justice issued an opinion on the legality of Kosovo's declaration of independence, in September we regretfully witnessed another Serbian attempt in the General Assembly to call for negotiations on the status of Kosovo. Considering that Kosovo's independence and borders cannot be subject to any negotiation and that such a controversial proposal would undermine the progress achieved so far, the international community mobilized in an unprecedented manner and called on Serbia to change its policy. As a result, the General Assembly adopted resolution 64/298, welcoming with respect the opinion of the Court. It also welcomes the readiness of the EU to facilitate a dialogue between Pristina and Belgrade.

I am confirming yet again that our Government was very pleased with the outcome of that General Assembly debate. The resolution gives us a platform to start a technical dialogue with Serbia on issues of importance for the well-being of communities and for regional cooperation. The Government of the Republic of Kosovo and the principal international sponsors of the resolution have made it clear that the dialogue is about the future and not the past. We will not return to closed chapters of history. We are ready to talk about missing persons from the war, cooperation against crime and corruption, mutual recognition of documents and phone networks, rail lines, airspace and every other issue of mutual interest to and shared benefit for our citizens, our societies and our countries. But let me be clear. We will not talk — ever again — about Kosovo's right to exist as a free nation after everything that has happened in the past. The independence of Kosovo is not and will not be an issue for discussion.

Hence, following a round of discussions with the European Union and other partners, we are preparing our teams and agenda for talks with the Republic of Serbia, with the facilitation of the EU. We welcome the readiness of the United States to contribute to this process.

Let me conclude my remarks with the plea of 19-year-old Majlinda Kelmendi, who is the most honoured sportswoman of Kosovo today. She has won European and world championships in judo, one of the few Olympic sports that recognize her right to compete as a Kosovar. Unfortunately, even after more than 20 years, Kosovo's young athletes and artists remain isolated from such international activities. It is of great importance that Majlinda and other young Kosovars have the same opportunities as their friends throughout the world.

Enormous challenges remain for young generations of Kosovars and Serbs in the years ahead and many issues will have to be resolved through dialogue, but I believe that I am not the only one who acknowledges that after the Vienna process, the Ahtisaari proposal, the International Court of Justice opinion and the General Assembly resolution, we are finally ready to move on.

**The President**: I thank Mrs. Çitaku for her statement.

I shall now give the floor to members of the Security Council.

**Mrs. DiCarlo** (United States of America): I would like to welcome Foreign Minister Jeremić of Serbia and Acting Foreign Minister Çitaku of Kosovo to the Council and to thank them for their comments. Let me also thank Special Representative Zannier for his briefing and his service.

I have three points to make today. First, as Secretary of State Hillary Clinton recently said in Pristina, the advisory opinion of the International Court of Justice turned the page on questions of Kosovo's status. In the words of the Court, "the declaration of independence of 17 February 2008 did not violate general international law". The International Court of Justice opinion also stated that the declaration was not

in violation of resolution 1244 (1999). It is now time to move ahead.

For this reason, the United States welcomed the consensus General Assembly resolution 64/298, adopted on 9 September, which points to a new era of pragmatic, neighbourly relations between Serbia and Kosovo as they embark on their respective paths towards a Euro-Atlantic future. We welcome and support the European Union-facilitated dialogue between Pristina and Belgrade. It will help both countries improve the quality of life for their citizens and increase security and stability in the region.

Let us be clear. This dialogue is not about Kosovo's status or territorial integrity. Kosovo is a sovereign, independent State and its borders are inviolable. Seventy-one countries have now recognized Kosovo. We call upon States that have not already done so to help contribute to stability in the region by welcoming Kosovo into the international community through formal recognition.

Secondly, we must support the Government of Kosovo in its efforts to build a multi-ethnic and unified democratic State governed by the rule of law, accountable to all of its citizens and fully integrated into the international community. Kosovo has already made strides in increasing overall security, building a culture of inclusive democracy and strengthening the rule of law, but a great deal more remains to be done. The United States looks forward to free, fair and peaceful general elections in December as Kosovo builds on its encouraging track record in developing a vibrant multiparty democracy.

We stand ready to support Kosovo's efforts to administer the elections in a manner that lets all of the people of Kosovo exercise their right to vote. Now is the time for all citizens of Kosovo, regardless of their ethnic background, to make their voices heard in the democratic process. We regret that the Government of Serbia has missed the opportunity to play a constructive role in the process and has not encouraged Kosovo Serb participation. The Kosovo Serb community can only be disadvantaged by this decision.

Strong economic growth rooted in the rule of law is key to ensuring the long-term prosperity and security of the Balkans. We encourage Kosovo to create the conditions needed for sustainable, private sector-led growth by aggressively pursuing judicial reforms and tackling crime and corruption. Kosovo's continued cooperation with the European Union Rule of Law Mission in Kosovo (EULEX) is critical here. Kosovo's entry into the International Monetary Fund and the World Bank last year and, we hope, its eventual entry into other regional and multilateral institutions, such as the European Bank for Reconstruction and Development, will help promote reforms that ultimately benefit the people of Kosovo. We encourage all of our fellow Member States to support Kosovo's full participation in international forums, including the Central European Free Trade Agreement.

We also support the Government of Kosovo's efforts to responsibly enforce its laws, including recent measures taken by the Kosovo Telecommunications Regulatory Authority. Authorities in Kosovo and Serbia must work together to promote commercial activity in the telecommunications and energy sectors while respecting Kosovo law to meet the genuine needs of Kosovo's communities.

Further, the North Atlantic Council's recent decision to continue downsizing the Kosovo Force (KFOR) reflects improvements in the security situation and the professionalism of Kosovo's security forces. The two Governments' cooperative approach to the installation of the Patriarch of the Serbian Orthodox Church last month in Pejë further contributed to security and stability, in keeping with the shared responsibility to protect and preserve the vital role of the Serbian Orthodox Church in Kosovo.

That brings me to my third and final point. As the report (S/2010/562) makes clear, many challenges remain in northern Kosovo. We strongly condemn acts and threats of violence, including those reported against ethnic Serbs in northern Kosovo that are intended to intimidate those who would engage with Kosovo's legitimate institutions. Such attacks exacerbate divisions and undermine security. We welcome the support by EULEX of the Kosovo police's efforts to improve respect for the rule of law in northern Kosovo and we call on authorities in Pristina and Belgrade to support and contribute to those efforts.

The United States will continue to support Kosovo as it works to build a stable, prosperous and democratic country that is at peace with its neighbours and more and more integrated into the Euro-Atlantic community. Similarly, we will continue to support the aspirations of Serbia and all the countries of the

Western Balkans to achieve their goals for European and Euro-Atlantic integration.

**Mr. Mayr-Harting** (Austria): I would like to welcome Mr. Vuk Jeremić, Foreign Minister of Serbia, and Mrs. Vlora Çitaku, Acting Foreign Minister of Kosovo, and thank them for their statements. I also thank the Special Representative of the Secretary-General, Mr. Lamberto Zannier, for his presentation of the report before us (S/2010/562). We very much appreciate the work the United Nations Interim Administration in Kosovo (UNMIK) is doing to promote dialogue and cooperation among all parties in order to promote stability and reconciliation.

Austria welcomes the fact that the security situation in Kosovo has been largely calm during the reporting period. However, we have again witnessed how recent developments have managed to increase political tensions in northern Kosovo and have in some instances triggered isolated acts of violence.

It is our firm conviction that the gradual integration of the north into the rest of Kosovo would be beneficial to all its inhabitants. At the same time, we are convinced that that goal will be achieved only through dialogue. Austria calls on all sides to exercise restraint, to adopt a constructive and pragmatic approach and to actively engage with the international presence, including in northern Kosovo, in order to avoid further violence and tension.

Kosovo police, the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo Force (KFOR) have again demonstrated effective cooperation and have succeeded in tackling violence and ensuring stability. Austria continues to fully support the important work of the KFOR and EULEX and will continue to keep up its commitment in both these missions.

As it was pointed out in the recent progress report of the European Commission, many challenges persist. Improving governance and the rule of law in Kosovo, for example, is essential, as are steps to fight corruption and impunity. We commend the efforts by the Government of Kosovo towards those ends.

In order to make further progress and consolidate the gains made so far, it is important for the international community to remain engaged in Kosovo and to assist the local authorities by sharing expertise and resources. Kosovo must remain committed to carrying out the necessary reforms. Stability, security, the rule of law and governance are fundamental pillars for all of Kosovo's communities.

In that respect, Austria encourages all sides to reach an agreement on a multi-ethnic court in Mitrovica and on customs arrangements in the north. We welcome the efforts undertaken by EULEX in that regard.

Austria would also like to highlight the valuable contributions made by the Organization for Security and Cooperation in Europe (OSCE) Mission in Kosovo in the monitoring, protection and promotion of human rights, including community rights, as well as the Mission's endeavours to improve conditions for the return of internally displaced persons and refugees.

Likewise, Austria commends the OSCE Mission in Kosovo for the continuous support to the development of democratic institutions, such as the assistance offered to the Central Election Commission and the Electoral Complaints and Appeals Subcommission.

We hope that all ethnic groups in Kosovo will actively participate in the upcoming elections in December, as they will be decisive for the future of Kosovo. We hope that those elections will result in an encouraging signal for the future of all inhabitants of Kosovo. We appeal to both Kosovo and Serbia to exercise pragmatism and self-restraint in order to make the elections a success and to avoid increased tensions, particularly in the north.

Austria welcomes the unanimous adoption by the General Assembly, on 9 September, of a resolution on the advisory opinion of the International Court of Justice delivered on 22 July (resolution 64/298). We welcome, in particular, that that resolution was based on agreement between Serbia and the European Union. As others have already said, there is general agreement, as we have seen in the General Assembly, on the role of the European Union in facilitating a process of dialogue between the parties.

We are encouraged by signals from both sides showing their readiness to engage in a dialogue facilitated by the European Union on practical problems affecting the daily lives of people from both ethnic backgrounds living in Kosovo. I was also encouraged by what I heard from Foreign Minister Jeremić on this subject and pleased that Deputy Foreign Minister Çitaku told us about the Government of Kosovo getting ready to participate in this process.

This is an important opportunity to promote cooperation, to achieve progress, as the resolution says, on the path to the European Union, and to improve the lives of the people. We hope for an early launch of this dialogue, which can contribute to creating the conditions for a shared future within the European Union. That is a goal to which Austria has always been committed, and we stand ready to continue lend our support to that endeavour.

**Mr. Churkin** (Russian Federation) (*spoke in Russian*): We thank the Special Representative of the Secretary-General for Kosovo, Mr. Lamberto Zannier, for presenting the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2010/562). We welcome the participation in today's Security Council meeting of the Foreign Minister of Serbia, Mr. Jeremić. We share the assessments contained in his statement.

We carefully listened to the statement by Mrs. Çitaku. We are disappointed by the unwarranted views that she has expressed, which run counter to Security Council resolution 1244 (1999).

Russia supports the territorial integrity and sovereignty of the Republic of Serbia. We are of the view that it is undeniable that resolution 1244 (1999) remains fully in effect and remains the international legal basis for a Kosovo settlement that is binding upon all. Our position remains unchanged in respect to that resolution, that is, we do not recognize the unilateral declaration of independence of Kosovo.

We believe that it is important for the stakeholders to resume dialogue in order to bring about a settlement of the Kosovo issue. Here, we cannot condone unilateral actions of Pristina and the international presence in northern Kosovo that are aimed at changing realities on the ground in order to impact the modalities and outcomes of the dialogue ahead.

In that regard, we are concerned over the growing activity of the Kosovo Albanian authorities north of the Ibar river, and their plans, despite the negative view of UNMIK on those plans, to build and restore destroyed homes on land that is adjacent to Serbian towns, as well as their plans to open a court without the consent of the United Nations Administration in Mitrovica or of the Serbian city council in northern Mitrovica.

The situation continues to be unsatisfactory with respect to the return to Kosovo of internally displaced persons, including Serbian citizens. There are many reasons for that, including the fact that returnees are not confident about their security, nor are the rights of return encouraged by actions such as those by the Kosovo defence and security entities when, on 26 September, they removed transmitters of the Serbian telecom company in the Serbian-populated areas of Kosovo.

As a result of this, almost all the enclaves to the north of the Ibar River have been left without mobile communications and some without landline communications. We believe that that is a blatant violation of human rights as part of an unfair competitive struggle. We believe that such intent is fraught with additional tension in terms of security in Kosovo and could spark growing mistrust of the Serbian population with respect to the readiness of the peacekeeping force to carry out its duties. This step should also be seen as premature in the light of the incidents, described today by the Minister for Foreign Affairs of Serbia, that occurred in the town of Peć during the enthronement ceremony of the Serbian Patriarch.

The attempts of the Kosovo media to discredit UNMIK are unacceptable. The campaign against UNMIK jeopardizes its staff's security and prevents the Mission from carrying out its functions. We insist that UNMIK carry out its duties with respect to the external representation of Kosovo in regional and international organizations and mechanisms. Attempts to secure Pristina's participation in international events as a sovereign State are unacceptable. In that respect, we maintain our position that the United Nations Mission in Kosovo, on basis of its mandate from the Security Council, must play as active a role as possible in assisting the process of a Kosovo settlement. We insist on the need to maintain the leading role of the Security Council in resolving the issue of Kosovo, as it remains the guarantor of compliance with international law, the United Nations Charter and its own decisions.

Information on the substance and proceedings of negotiations between Belgrade and Pristina should be reflected in the quarterly reports of the Secretary-General on the activities of UNMIK, with reports of the European Union Rule of Law Mission in Kosovo attached thereto.

**Mr. Assaf** (Lebanon) (*spoke in Arabic*): At the outset, I would like to thank Mr. Lamberto Zannier,

Special Representative of the Secretary-General, for his comprehensive briefing. I also welcome Mr. Jeremić, Minister for Foreign Affairs of Serbia, and thank him for his statement. I also thank Mrs. Çitaku for her presentation.

Allow me to make the following comments. My delegation notes with satisfaction the reasonably calm security situation in Kosovo, although the situation in northern Kosovo remains unstable. Security incidents continue to cause concern and tensions. My country therefore calls on all parties to exercise self-restraint and to avoid any unilateral or provocative action that could increase tension. At the same time, we believe that the vigilance of the security forces, work to achieve reconciliation and the prosecution of those who commit violent acts play an important role in spreading a sense of security among all citizens, especially those of the northern Kosovo.

We welcome the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) to facilitate dialogue and reconciliation between the various communities and encourage it to pursue those efforts. Lebanon appreciates UNMIK's efforts to maintain security and stability and to facilitate Kosovo's participation in various international and regional forums. However, we share the Secretary-General's concern over the report issued by the "Office for Implementation of the Strategy for the North of Kosovo" and the media campaign against UNMIK. We call on all parties to abstain from publishing inaccurate information, which can only have detrimental effects and create obstacles to UNMIK's work.

We welcome the regular exchange of information and coordination between the European Union Rule of Law Mission in Kosovo and UNMIK, pursuant to the principle of neutrality set out in resolution 1244 (1999).

A study conducted by UNICEF has highlighted the fact that current return and repatriation practices lack guarantees for safe and dignified returns. We therefore stress the importance of the organic link between national reconciliation and the strengthening of economic and development activities in the various communities, and of respect for human rights. Only this will end discrimination and harassment, thus creating a socio-economic environment conducive to the return of the refugees.

Moreover, we express our appreciation for the progress made by the Reconstruction Implementation Commission in protecting Serbian Orthodox religious and cultural heritage sites in Kosovo. We support the Secretary-General's recommendation that technical support and funding be provided to the Commission.

We welcome cooperation between Belgrade and Pristina on the issue of missing persons through the Working Group on Missing Persons. We hope that this spirit of cooperation will also extend to other fields.

We also welcome General Assembly resolution 64/298, presented by Serbia to the Assembly and adopted on 9 September. In our view, the resolution constitutes an important point of departure for the launching of a flexible and constructive dialogue between the two parties as soon as possible. It is encouraging in this respect that the United Nations and the European Union have expressed their intention to facilitate such a dialogue. However, it is extremely important that all parties of influence also make continuous efforts to re-establish trust and promote reconciliation between the communities of Kosovo. That will create an atmosphere of trust for the adoption of agreements of mutual benefit to all communities.

We hope that the recent political incidents and the anticipated early elections will not delay dialogue between the parties and the elections will be fair and transparent. In addition, we hope that the dialogue will help to improve the living conditions of the people and help to strengthen the basis for peace and reconciliation in Kosovo, thus contributing to stability in the region.

**Mr. Rugunda** (Uganda): I thank the Special Representative of the Secretary-General, Mr. Lamberto Zannier, for his briefing. I welcome His Excellency Mr. Jeremić, Minister for Foreign Affairs of the Republic of Serbia, to this debate and thank him for his statement. I also thank Mrs. Çitaku for her statement.

Uganda commends the United Nations Interim Administration Mission in Kosovo (UNMIK) for its continued efforts in promoting security and stability in Kosovo and the region, particularly with regard to continued coordination activities with relevant actors and developing common approaches to the maintenance of peace and stability on the ground. We are encouraged that the overall security situation in Kosovo during the reporting period remained relatively calm.

We are concerned, however, by the recurrent clashes in northern Kosovo between Kosovo Serbs and

Kosovo Albanians, which increase instability and division between the communities. We urge all sides to exercise restraint in order to avoid further escalation of tensions.

We commend UNMIK for its proactive engagement with all communities, as well as the authorities in Pristina and Belgrade and international actors in furthering peace and stability in Kosovo. We are convinced that UNMIK's work in supporting minority communities, encouraging reconciliation, facilitating dialogue and regional cooperation is critical.

My delegation welcomes the cooperation and coordination between UNMIK and the European Union Rule of Law Mission in Kosovo (EULEX) on issues of mutual concern. This cooperation is vital, and we encourage that it be strengthened within the framework of resolution 1244 (1999). The Kosovo Force (KFOR) plays an important complementary role in maintaining an overall safe environment. In this regard, we salute the efforts of UNMIK, in coordination with EULEX and KFOR, in encouraging both sides to find a sustainable and peaceful solution.

We commend UNMIK for facilitating the activities of the United Nations Educational, Scientific and Cultural Organization (UNESCO), including inter-communal meetings, technical assessments of cultural heritage sites and the implementation of projects engaging Kosovo Albanians and Kosovo Serbs. These activities are important because they build confidence and create a better understanding among communities. We therefore encourage UNMIK to continue, in coordination and cooperation with local and relevant international actors, its efforts to address critical social services needs.

UNMIK is also playing an important role in facilitating the work of the Reconstruction Implementation Commission. It is important that the Commission be availed the necessary financial and logistical support to complete its work.

We welcome the progress made so far regarding the return of displaced persons and the complementary role place by the Office of the United Nations High Commissioner for Refugees (UNHCR). It is essential in the spirit of reconciliation for recipient communities to desist in any actions which may hinder inter-communal integration. It is also important for both sides to devote more resources towards the location of missing persons.

Regional cooperation plays an important role in enhancing development. We therefore encourage the authorities in Pristina and Belgrade to work together in pursuit of this goal. We call on the international community to continue supporting UNMIK's important work, consistent with resolution 1244 (1999).

Finally, we commend the Special Representative of the Secretary-General, Mr. Zannier, and the staff of UNMIK for their good work.

**Mrs. Viotti** (Brazil): I, too, would like to welcome His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, and to thank him for his statement. I also thank Special Representative Lamberto Zannier for his briefing and Mrs. Vlora Çitaku for her remarks.

The report of the Secretary-General (S/2010/562) depicts a scenario of rising ethnic tensions, especially in the north of Kosovo. Multiple clashes between Kosovo Serbs and Kosovo Albanians and attacks on places of worship and persons from minority communities are expressions of a situation that requires the attention of the Security Council. Current tensions also reveal the depth of the mistrust and prejudice that communities and individuals still have to overcome.

In such an atmosphere, it is imperative that all authorities in Kosovo provide for the security of all persons, regardless of their ethnic origin or religion. All parties must also refrain from any acts that can create further instability. Building a truly diverse and tolerant Kosovo should be a common goal pursued by all.

My delegation deplores the publication by Pristina authorities of an inaccurate report on the administration of the United Nations Interim Administration Mission in Kosovo (UNMIK) of Mitrovica, which fuelled a damaging media campaign against the Mission. UNMIK was established by the Security Council and challenges to the Mission's authority are a clear violation of resolution 1244 (1999).

We also remain concerned by the Secretary-General's assessment that relations between the Mission and Pristina continue to be at arm's length. We reiterate our call for both Belgrade and Pristina to cooperate actively with UNMIK and Special Representative Zannier, especially in advancing practical arrangements that may benefit the ordinary citizen.

As resolution 1244 (1999) remains in force, it continues to be the main parameter for the presence of

the United Nations in Kosovo and all those who operate there under the overall authority of UNMIK. The resolution also continues to offer the basis for settling outstanding disputes through negotiations with a view to reaching a legitimate solution under the auspices of the Security Council, consistent with its primary responsibility in the maintenance of international peace and security. We therefore reiterate our call to the parties to resume negotiations on all outstanding issues as soon as possible and to cooperate with each other in good faith. In this regard, my delegation welcomes the willingness of the European Union to facilitate dialogue between Belgrade and Pristina, as acknowledged by the General Assembly on 9 September 2010 (General Assembly resolution 64/298). We hope both parties will take full advantage of this opportunity.

I also welcome the Secretary-General's intention to keep the Security Council informed of developments in the dialogue supported by the European Union. A solution to the dispute in Kosovo is a matter of concern not only to the parties themselves but to the international community as a whole.

**Mr. Onowu** (Nigeria): We would also like to thank Mr. Jeremić, Minister for Foreign Affairs of Serbia, and Ms. Çitaku for their statements. We also thank the Special Representative of the Secretary-General, Mr. Zannier, for his informative briefing on the situation in Kosovo.

We welcome the report of the Secretary-General (S/2010/562) and appreciate the progress made since the last report. In particular, we note that the overall security situation in Kosovo has remained calm, although there are still pockets of violent incidents. We are encouraged by the continued cooperation between Belgrade and Pristina on the problem of missing persons. It is also positive that implementation of the United Nations Strategic Framework for Kosovo is under way.

We acknowledge the contribution of the United Nations Interim Administration Mission in Kosovo (UNMIK) in collaboration with regional and international actors in facilitating the progress that has been made in Kosovo. In particular, UNMIK's role in the rule of law and coordination among the various actors, as well as in facilitating dialogue among the communities, continues to enjoy our strong support. We also appreciate its role in fostering cordial relations with all the major actors in the region.

The situation in northern Kosovo remains a cause for concern. Increasing political tensions and recurring incidents and attacks of a political nature have continued to raise the perception of insecurity in Kosovo and undermine efforts to promote the stability and development of Kosovo and the region. The Secretary-General's concerns about the absence of significant progress in reconciliation between the communities, as well as the consistently low number of returns, are issues that deserve continued attention. In this regard, we urge for greater efforts to be made to help build confidence among the communities and lead to the consolidation of peace, stability and reconciliation in Kosovo and the region.

There is also a need to improve security conditions and develop reintegration projects that will encourage voluntary and safe returns. We are particularly concerned about the lack of support to the activities of UNMIK in the north. At this critical stage, Kosovo more than ever needs the continued presence of UNMIK in the territory. We are convinced that its effective engagement with all the parties to promote reconciliation and stability will bolster progress in other areas of difficulty. We therefore call on all actors to provide the necessary support to enable UNMIK to fulfil its mandate.

We are strongly convinced of the importance of dialogue in resolving the difficult issues relating to Kosovo. In this regard, we urge the international community to remain focused on Kosovo, especially by promoting peace efforts aimed at reaching a comprehensive and mutually acceptable solution to issues in the territory and the region.

It is gratifying to note the efforts of the European Union in facilitating a process of dialogue between the parties. This is a major step forward. We urge the parties to seize the possibilities that it offers. It is also important, however, to ensure that any process involves close consultation and coordination between all relevant actors, and takes into account the specific circumstances and concerns of all the communities.

In conclusion, we commend the Special Representative of the Secretary-General and his team for their unrelenting efforts in promoting peace and stability in Kosovo and the region.

**Mr. Li Baodong** (China) (*spoke in Chinese*): The Kosovo situation has a bearing on peace, security and stability in Europe as a whole, as well as in the Balkans in particular. The overall security situation in Kosovo is relatively calm at present, but tension in the north remains a cause for concern. China hopes that the parties concerned will exercise restraint, work together to maintain stability in the north and avoid the escalation of tensions.

We welcome the cooperation between the parties concerned, with the assistance of the United Nations Interim Administration Mission in Kosovo (UNMIK), on the issue of missing persons and religious and cultural heritage sites. China hopes that all parties will take concrete measures to promote reconciliation between all of Kosovo's communities and protect the rights and interests of Kosovar Serbs and other minorities.

China calls for efforts to meet the needs of the most vulnerable groups, in particular efforts to provide education and health services for children.

China respects the sovereignty and territorial integrity of Serbia and appreciates the commitment and efforts of the Government and people of Serbia to achieve lasting peace, stability and development.

We continue to believe that the best approach to the settlement of the Kosovo issue is for both parties to negotiate a mutually acceptable solution within the framework of the relevant Security Council resolutions. Resolution 1244 (1999) remains in effect and is still the legal basis on which solutions can be found to the Kosovo issue. The advisory opinion of the International Court of Justice does not stand in the way of the parties seeking a proper solution through negotiations.

China supports UNMIK in continuing to fulfil its responsibilities, in line with the relevant Security Council resolutions. We are concerned about acts and speech that might endanger the safety and security of United Nations personnel. We urge all the parties concerned to continue their cooperation with UNMIK to ensure its smooth functioning.

**Mr. Heller** (Mexico) (*spoke in Spanish*): I would like to thank Mr. Lamberto Zannier, Special Representative of the Secretary-General for Kosovo, for his briefing. I would also like to welcome the presence of the Minister for Foreign affairs of Serbia, Mr. Vuk Jeremić, and that of Mrs. Vlora Çitaku.

Mexico recognizes the important work carried out by the Special Representative of the Secretary-General, the United Nations Interim Administration Mission in Kosovo (UNMIK), the entities, fund and programmes of the United Nations and the strategic partners.

We welcome the approval of the United Nations Strategic Framework for Kosovo, as this instrument will contribute to the planning and consistency of international efforts aimed at reconstruction and development in the region.

My delegation believes it extremely important that the international community continue to support the presence of UNMIK so that it is able to comply with its mandate in accordance with resolution 1244 (1999). We call upon the parties to cooperate with UNMIK and to avoid any actions that could affect the presence of the Mission or endanger its personnel.

We welcome the cooperation between UNMIK and the European Union Rule of Law Mission in Kosovo (EULEX), the Organization for Security and Cooperation in Europe and the Kosovo Force, the international security force there. The cooperation between UNMIK and EULEX is particularly important for promoting the rule of law in Kosovo, particularly in strengthening judicial and human rights institutions.

We note with concern the increase in acts of inter-ethnic violence in the northern part of Kosovo, particularly between young people, since the International Court of Justice issued its advisory opinion on 22 July with regard to the accordance with international law of the unilateral declaration of independence in respect of Kosovo.

My delegation would like to reaffirm the importance of the Security Council reiterating to the parties their obligation to respect international law and to avoid any acts of provocation that could lead to an increase of tension or exacerbate the differences between the communities. It is important that we maintain the positive momentum for dialogue following the adoption, on 9 September, of resolution 64/298 by the General Assembly.

We call for constructive dialogue that would lead to peacebuilding, stability and reconciliation in Kosovo while making use of the support and cooperation provided by the European Union, in conformity with the General Assembly resolution to which I have just referred.

The delegation of Mexico believes it crucial to increase the cooperation of UNMIK with Pristina and Belgrade in matters relating to investigations into missing persons, the reconstruction of religious and cultural heritage sites and support to minority communities in the provision of public and civil services.

The United Nations team in Kosovo should strengthen its cooperation with regional and local organizations in order to undertake actions aimed at promoting reconciliation, tolerance and solidarity between communities, particularly children and young people. It is alarming to see how vulnerable children belonging to repatriated minority communities are. They live in poverty and have high dropout rates from school and insufficient access to health care services. This is also true for children with special needs or chronic illnesses. We call on the parties to promote conditions that allow for the secure and voluntary return, free from discrimination, of those who wish to do so.

It is important to promote the strengthening of programmes for reintegration and development, as well as for the construction and rebuilding of housing.

We consider it important that UNMIK work closely together with the Office of the United Nations High Commissioner for Refugees, local institutions and other humanitarian bodies on the ground in order to achieve those objectives, particularly bearing in mind the planned repatriation of thousands of families from minority communities that are living in other countries in Europe.

Finally, my delegation would like to stress the need for the parties and countries in the region to cooperate with the International Tribunal for the Former Yugoslavia in order to fight the impunity of those responsible for serious crimes committed in the past, thus promoting peace, justice and national reconciliation.

**Mr. Apakan** (Turkey): Allow me to extend a warm to Mr. Jeremić, Minister for Foreign Affairs of Serbia, and Mrs. Vlora Çitaku, Deputy Minister for Foreign Affairs of Kosovo. We are pleased to see both of them, and we thank them for their statements. I would also like to welcome Mr. Lamberto Zannier and thank him for his comprehensive briefing. We appreciate and support the work the United Nations Interim Administration Mission in Kosovo (UNMIK) is doing towards promoting security, stability and the protection of human rights under his leadership.

We are pleased to note that the overall security situation in Kosovo remains generally calm, with the exception of northern Kosovo, where, unfortunately, a certain number of inter-ethnic clashes occurred. We strongly condemn all ethnic violence and see these acts as attacks against the peace and security of all the citizens of Kosovo. As such, we urge all sides to refrain from escalating tensions, especially in northern Kosovo, and stress the importance of continuing cooperation with UNMIK.

We also call on the authorities of Kosovo, particularly local-level institutions and the Kosovo police, to make sure that they continue to take all the necessary measures to prevent violent incidents, with a special emphasis on those affecting minority communities.

We attach great importance to the early elections next month being conducted in an orderly and inclusive manner in Kosovo, thus allowing all the citizens of Kosovo to decide on the future of their country. We believe those elections will further contribute to the strengthening of democratic institutions and the rule of law in Kosovo.

At our last meeting on the subject, I underlined that, as one of the first countries that recognized Kosovo as an independent State, we welcome the advisory opinion of the International Court of Justice that Kosovo's declaration of independence did not violate any applicable rule of international law.

We also welcome the recent General Assembly resolution 64/298, jointly sponsored by Serbia and the European Union countries, acknowledging the advisory opinion of the Court and expressing the readiness of the European Union to facilitate dialogue between Pristina and Belgrade. It is our sincere hope that that advisory opinion will open a new phase in relations between Pristina and Belgrade. Both are close friends and partners. We are confident that the dialogue will be based on the Court's advisory opinion and that the General Assembly resolution will make important contributions to sustainable peace, security and stability in the Balkans.

We recognize that there are still problems on the path towards reconciliation. The problem posed by the issue of missing persons and the challenges encountered

in the returns process in that respect cannot be overlooked. Still, we are glad to see that with UNMIK facilitation, Belgrade and Pristina continue to cooperate on this issue through the Working Group on Missing Persons.

Lasting peace and stability in the Balkans remains our ultimate and overriding goal. As we stated in yesterday's debate (6421st meeting), we hope that the general improvement of relations between the countries of the region, illustrated by the reciprocal visits and statements, will also have a positive impact on the dialogue between Belgrade and Pristina.

The preservation of Kosovo's territorial integrity and sovereignty is essential for complete stability in the Balkans, as well as for the peace and stability of the Euro-Atlantic area. In that respect, Kosovo should not be left isolated in the middle of Europe, and the continued support of the international community to Kosovo in such fields as the consolidation of democratic institutions, rule of law and the fight against corruption is needed. We are strongly committed to Kosovo living in peace with its neighbours and participating in regional cooperation in every aspect.

At the same time, Serbia, as an important player in the region, can do much for the consolidation of peace, democracy and prosperity in the Balkans and the greater European space. We welcome and support the developing relations between Serbia and the European Union. The future of Kosovo also lies in its integration into European structures. Accordingly, we believe that that European perspective provides a sound basis for cooperation and dialogue.

As indicated by our Prime Minister during his recent visit to Kosovo, Turkey also stands ready to assist Pristina and Belgrade. While such efforts are under way, as the Secretary-General emphasizes in his report (S/2010/562), it is imperative that the parties avoid any unilateral steps that could derail the path towards dialogue.

**Mr. Barbalić** (Bosnia and Herzegovina): We would like to thank the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (S/2010/562). Also, we express our appreciation to Mr. Lamberto Zannier, Special Representative of the Secretary-General, for his briefing on the recent developments in Kosovo, and we commend the staff of the United Nations Mission for their hard work and dedication. We welcome the participation in today's meeting of Mr. Vuk Jeremić, Minister for Foreign Affairs of the Republic of Serbia, as well as of Mrs. Vlora Çitaku.

Bosnia and Herzegovina commends the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK), operating within the framework of Security Council resolution 1244 (1999), aimed at implementing its mandate of maintaining peace, security, stability and respect for human rights in Kosovo. Furthermore, we appreciate UNMIK's contribution to the reconciliation process, facilitation of constructive dialogue and regional cooperation, as well as its focus on mediation between the communities and its support to minority communities.

We also have taken positive note that the security situation in Kosovo has remained relatively calm during the reporting period, despite some incidents, mainly in northern Kosovo, as stated in the Secretary-General's report. Developments such as the International Court of Justice advisory opinion triggered particular tensions in an already sensitive and politically delicate atmosphere.

As for the Court's advisory opinion, we welcome General Assembly resolution 64/298, adopted on 9 September 2010. Bosnia and Herzegovina extended its full support to the adoption of that resolution, sponsored by Serbia and the 27 member States of the European Union. It calls for the initiation of a process of dialogue between the parties, a dialogue that would help promote cooperation and achieve progress on the path to the European Union.

We consider that the efforts to improve inter-community dialogue and confidence-building among the parties are of particular importance in creating an environment conducive to sustainable return. Nonetheless, the number of voluntary minority returns during the reporting period remains low. We commend UNMIK and other United Nations agencies, such as UNICEF and the Office of the United Nations High Commissioner for Refugees, for their efforts to defuse tensions and draw attention to the common needs of returnees and internally displaced persons and encourage them to continue their work.

Having in mind how important strengthening the rule of law is, we stress the significance and welcome the activities of UNMIK, as well as those of the European Union Rule of Law Mission in Kosovo (EULEX), operating within the status-neutral framework

of the United Nations to that end. We also support the existing practice of cooperation and coordination between UNMIK, EULEX, the Organization for Security and Cooperation in Europe and NATO — the latter present through the Kosovo Force troops — and express our hope that that practice will continue. Furthermore, in light of our strong commitment and support to the work of the International Tribunal for the Former Yugoslavia (ICTY), we find the reported strong cooperation between EULEX and the ICTY encouraging.

In conclusion, we would like to reiterate that stability and security in Kosovo are important for achieving lasting peace and prosperity in our region. We also believe that the international community should continue to play an important role in supporting the aspirations of the region's countries with regard to their integration into European and Euro-Atlantic structures. For their part, the countries of the region should cooperate fully with the international community if those goals are to be achieved.

I cannot conclude without emphasizing that promoting good relations and cooperation with neighbouring countries is among the top priorities of Bosnia and Herzegovina's foreign policy.

**Mr. Issoze-Ngondet** (Gabon) (*spoke in French*): As we reiterate our congratulations to you, Mr. President, on presiding over the Council this month, we would also like to express our appreciation to you for the holding of today's debate, which gives us another opportunity to address the developments in the situation in Kosovo. We would also like to thank Mr. Lamberto Zannier for presenting both clearly and briefly the Secretary-General's report (S/2010/562) on the United Nations Interim Administration Mission in Kosovo (UNMIK). We once again reiterate to him and the staff of UNMIK our unwavering support for their efforts on the ground in accordance with the provisions of resolution 1244 (1999).

Lastly, we welcome the presence in the Chamber of His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of the Republic of Serbia, and thank him for his statement. We share his views, both in terms of the prospects for dialogue with Kosovo and with respect to resolution 1244 (1999). We note from Mrs. Çitaku's statement her acceptance of the offer of dialogue made by the European Union.

On 9 September, the General Assembly adopted its resolution 64/298 on Kosovo, sponsored by Serbia and member States of the European Union. The text of the resolution is historic, as it offers new prospects for dialogue and cooperation between Pristina and Belgrade, with a view to achieving lasting peace in the Balkans region. We should like to commend the central role played by the European Union in facilitating this dialogue, so necessary to reconciliation between the various communities living in Kosovo. Since dialogue is so essential to any process of settling a crisis, we urge all parties to take this new opportunity to jointly seek solutions to the problems hindering peace, security and stability in this region.

We welcome the latest developments in Kosovo, in particular the recent implementation of the Strategic Framework for Kosovo and the launch, this December, of the common development plan of the United Nations Kosovo team. Along these lines, the results of the Reconstruction Implementation Commission, with respect to cultural and religious heritage sites, seem to be a genuine factor in effective cooperation between Belgrade and Pristina.

This progress does, unfortunately, present a contrast to some of the realities on the ground. As the report of the Secretary-General rightly points out, reconciliation between the various communities in Kosovo is confronting serious challenges. The situation is worsened by escalating tensions in northern Kosovo. We therefore call on all parties to refrain from taking any unilateral action that could contribute to worsening tensions and jeopardize the prospects for dialogue that have emerged from General Assembly resolution 64/298.

The recent statements by Kosovar authorities against the presence of UNMIK in northern Kosovo seem very worrying. They could, in certain cases, have an impact on the security situation for United Nations staff, whose mission of neutrality is an integral part of promoting security, stability and respect for human rights in Kosovo.

We would like to conclude by reiterating our position, which is founded on respect for the sovereignty and territorial integrity of Serbia — prerequisites for any constructive search for a settlement of the question of Kosovo. We encourage the parties to continue to address the outstanding issues through dialogue and cooperation. Gabon believes that

the advisory opinion of the International Court of Justice (see A/64/881) should help to promote such prospects.

**Mr. Araud** (France) (*spoke in French*): I would like to thank, for their presence here and for their briefings, Mr. Jeremić, Minister for Foreign Affairs of Serbia, and Mrs. Vlora Çitaku, Acting Minister for Foreign Affairs of the Republic of Kosovo. I would of course also like to commend the work of Mr. Lamberto Zannier, Special Representative of the Secretary-General, as well as that of all members of his Mission.

Almost three years after Kosovo's independence, the institutions of this young country continue to be consolidated. Democracy is under way. The vote, on 2 November, of no confidence in the Government has led to the organization of early parliamentary elections, which are expected to take place on 12 December. We see that the political climate is allowing everyone to express himself. We therefore hope that the elections will permit democratic institutions to be strengthened even further. In that context, we regret the calls to boycott the elections. We urge everyone to support this democratic process, in the interests of all the communities of Kosovo.

Since our last debate, the General Assembly has adopted a resolution (General Assembly resolution 64/298) that acknowledges the consequences of the advisory opinion handed down by the International Court of Justice (see A/64/881), requested by Serbia, with regard to the question of the conformity with international law of the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo.

In taking note of this opinion, according to which the declaration of independence of 17 February 2008 did not violate any applicable rule of international law, the General Assembly therefore brought closure to a debate that had weighed heavily on the political life of both countries. Serbia received an answer to the question it had asked. A chapter has been closed and a new one, of dialogue between the two States, must now begin.

The European Union has offered to facilitate dialogue between the Republics of Serbia and Kosovo, and the General Assembly has welcomed this initiative. It should begin as soon as possible, and should touch on various subjects that directly concern the lives of the peoples by promoting cooperation between the two countries.

For its part, Serbia continues to make progress on the road to European rapprochement. On 25 October, the 27 Ministers for Foreign Affairs of the European Union decided to entrust to the European Commission the examination of Serbia for candidacy for Union membership. France, which has strongly supported this positive development, welcomes this development.

On the ground, as the Secretary-General notes in his report (S/2010/562), the situation is relatively calm. Although we welcome the improvement in the general climate, France strongly condemns all violence, whoever the victims and perpetrators may be. It is important that the Kosovo authorities, supported by the European Union Rule of Law Mission in Kosovo, pursue the perpetrators of these crimes and step up their efforts in this area.

Kosovo must continue to focus on its fundamental priorities and to make progress towards establishing the rule of law and good governance for the benefit of all its communities. We hope that this will be the chief goal that the next Government sets itself.

France will continue to pay great attention to the situation in Kosovo and to promote dialogue between Serbia and Kosovo and their joint and shared European future.

**Mr. Nishida** (Japan): I thank Special Representative Lamberto Zannier for his comprehensive briefing. Of course, I would like to join previous speakers in extending a warm welcome to Foreign Minister Vuk Jeremić of Serbia and Acting Foreign Minister Vlora Çitaku of Kosovo. Japan highly values the contributions of the United Nations Interim Administration Mission in Kosovo, the European Union Rule of Law Mission in Kosovo, the Kosovo Force (KFOR) and the Organization for Security and Cooperation in Europe to ensuring the stability of Kosovo and the Western Balkan region as a whole.

Japan welcomes the adoption by consensus of General Assembly resolution 64/298 regarding the advisory opinion of the International Court of Justice of 22 July. We appreciate the flexibility shown by all concerned parties towards its adoption. We hope that a direct dialogue between Pristina and Belgrade will follow, addressing issues that affect the everyday lives

of all the people in the communities of Kosovo. It is equally important that the dialogue should build confidence and contribute to rapprochement between Pristina and Belgrade.

As the Secretary-General aptly states in his report, this dialogue will "open a new phase" (*S/2010/562, para. 57*). We expect that the European Union will facilitate the dialogue so that the entire region can be stabilized irreversibly through its path to integration with Europe. We hope that the recent political ferment in Kosovo will not delay the launch of the dialogue. We also hope that the new administration will be established very soon. It is also important that free and fair elections be held with the participation of all eligible residents, including minorities.

We commend Kosovo's efforts to improve its State capacity. As previous speakers have noted, one example of this is the handover of responsibility from KFOR to the Kosovo Police for the protection of some Serbian Orthodox monasteries, as the Secretary-General's report states. As for the humanitarian situation, including the return of internally displaced persons and refugees, we are particularly concerned about the stagnancy in the process of reintegration of minority returnees. As a proponent of the policy of human security, Japan continues to support the activities of the Office of the United Nations High Commissioner for Refugees and other institutions to promote peaceful multi-ethnic coexistence and sustainable development through various frameworks.

**The President**: I shall now make a brief statement in my national capacity.

I join other Council members in thanking Mr. Jeremić and Mrs. Çitaku for attending this afternoon's debate. I would also like to thank Mr. Zannier for his detailed briefing and for his hard work and leadership. I also thank the United Nations Interim Administration Mission in Kosovo for the role that it continues to play in promoting stability and reconciliation in Kosovo, and the European Union Rule of Law Mission in Kosovo and the Kosovo Force for their important work.

The Secretary-General's report (S/2010/562) rightly highlights progress in a number of areas, including the closure of the Česmin Lug camp near Mitrovica. This is a particularly welcome step towards the reintegration of the Kosovo Roma and will improve the living and health conditions of the affected families. The United Kingdom also welcomes the cooperation among Belgrade, Pristina and the international missions in Kosovo in making arrangements for the enthronement of the Serbian Orthodox Patriarch in Peć, and the prompt action of the Kosovo Police against those suspected of violence against pilgrims. The report also draws our attention to areas of concern, such as the trend of targeting Serbs working for Kosovo Government institutions and a number of small but violent incidents in northern Kosovo.

During the period covered by the report, the International Court of Justice published on 22 July its advisory opinion on Kosovo's declaration of independence, stating that the declaration did not violate international law. On 9 September, the General Assembly adopted by consensus resolution 64/298, presented by Serbia and European Union member States, which welcomed the prospect of a dialogue between Pristina and Belgrade, to be facilitated by the European Union. We call on Serbia and Kosovo to take advantage of this opportunity for both countries to put their differences over status to one side and move forward on cooperation over practical matters. I am encouraged that both Mr. Jeremić and Mrs. Çitaku underlined in their comments today that they will look to the future, not to the past, in embarking on that dialogue.

I now resume my functions as President of the Security Council.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 4.55 p.m.*

United Nations S/PV.6423

# Security Council

Sixty-fifth year

*Provisional*

**6423**rd meeting

Friday, 12 November 2010, 5 p.m.

New York

| | | |
|---|---|---|
| *President:* | Sir Mark Lyall Grant | (United Kingdom of Great Britain and Northern Ireland) |
| *Members:* | Austria | Mr. Lutterotti |
| | Bosnia and Herzegovina | Mr. Barbalić |
| | Brazil | Mr. Moretti |
| | China | Mr. Yang Tao |
| | France | Mr. Araud |
| | Gabon | Mr. Onanga Ndiaye |
| | Japan | Mr. Nishida |
| | Lebanon | Mr. Assaf |
| | Mexico | Mr. Heller |
| | Nigeria | Mr. Onowu |
| | Russian Federation | Mr. Dolgov |
| | Turkey | Ms. Dinç |
| | Uganda | Mr. Rugunda |
| | United States of America | Mrs. DiCarlo |

## Agenda

The situation concerning Iraq

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-63573 (E)

Please recycle

*The meeting was called to order at 5 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation concerning Iraq**

**The President**: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

> "The Security Council welcomes the agreement to form a national partnership Government achieved in Iraq on 11 November.
>
> "The Security Council welcomes the inclusive political process and representative outcome and encourages Iraq's leaders to rededicate themselves to the pursuit of national reconciliation.
>
> "The Security Council reaffirms its commitment to the independence, sovereignty, unity and territorial integrity of Iraq, and emphasizes the importance of the stability and security of Iraq for its people, the region and the international community."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2010/23.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 5.05 p.m.*

United Nations S/PV.6424

# Security Council

Sixty-fifth year

*Provisional*

**6424**th meeting

Monday, 15 November 2010, 10 a.m.

New York

| | | |
|---|---|---|
| *President:* | Sir Mark Lyall Grant | (United Kingdom of Great Britain and Northern Ireland) |
| *Members:* | Austria | Mr. Mayr-Harting |
| | Bosnia and Herzegovina | Mr. Barbalić |
| | Brazil | Mrs. Viotti |
| | China | Mr. Wang Min |
| | France | Mr. Bonne |
| | Gabon | Mr. Issoze-Ngondet |
| | Japan | Mr. Kodama |
| | Lebanon | Mr. Salam |
| | Mexico | Mr. Heller |
| | Nigeria | Mr. Onemola |
| | Russian Federation | Mr. Churkin |
| | Turkey | Mr. Apakan |
| | Uganda | Mr. Rugunda |
| | United States of America | Mrs. DiCarlo |

## Agenda

Briefings by Chairmen of subsidiary bodies of the Security Council

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-63741 (E)

Please recycle

*The meeting was called to order at 10.05 a.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**Briefings by Chairmen of subsidiary bodies of the Security Council**

**The President**: I should like to inform the Council that I have received letters from the representatives of Afghanistan, Cuba, India, the Islamic Republic of Iran, Israel, Morocco, Norway, Pakistan, Philippines, Spain, Sri Lanka, the Syrian Arab Republic and the Bolivarian Republic of Venezuela, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.*

**The President**: I should like to inform the Council that I have received a letter from His Excellency Mr. Pedro Serrano, in which he requests to be invited, in his capacity as Acting Head of the Delegation of the European Union to the United Nations, to participate in the consideration of the item on the Council's agenda. If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Pedro Serrano.

There being no objection, it is so decided.

I invite Mr. Serrano to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, we will hear briefings by His Excellency Mr. Thomas Mayr-Harting, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; His Excellency Mr. Ertuğrul Apakan, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism; and His Excellency Mr. Claude Heller, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

Before giving the three Chairmen the floor, I would like to make some introductory remarks.

This briefing will be the last by all three Chairmen in their current capacities. It is also the last briefing before the expiry of the mandates of both the Counter-Terrorism Committee Executive Directorate (CTED) and the 1540 Committee. I have therefore agreed with the Chairmen that they will, in addition to their statements on behalf of their Committees, offer their views on the future of those Committees in a national capacity. Therefore, each will deliver an abbreviated version of their Committee's statement. More detailed versions of their reports will be distributed today, and will be made available on the respective websites of the three Committees in due course.

At the outset, Mr. Mayr-Harting will make a joint statement on behalf of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004). Following that joint statement, the Council will hear briefings by the three Chairs of those Committees. I now give the floor to Mr. Mayr-Harting.

**Mr. Mayr-Harting** (Austria): On behalf of the Chairmen of the three subsidiary bodies of the Security Council, I would like to give an update on the continued cooperation among the Committees and their expert groups, as requested by the Council in recent resolutions pertaining to the three Committees. I will also give an abbreviated version of this joint report and would refer members of the Council to the full text, which will also be circulated.

The three Committees attach great importance to the coordination and cooperation among their expert groups — namely, the Monitoring Team, the Counter-Terrorism Committee (CTC) Executive Directorate (CTED) and the 1540 Committee experts. The Committees welcome the continuing efforts of the expert groups regarding joint outreach activities, exchange of information and joint meetings, and encourage the groups to further enhance the coordination of those activities.

On the occasion of previous briefings, a comparative table was issued to highlight the main aspects of the respective mandates and areas of competence of the three Committees. Today, in order to highlight the ongoing cooperation among the three expert groups, we also intend to distribute a table prepared by the groups. That table will also be posted on the respective websites.

Cooperation is of the utmost importance when it comes to outreach and exchange with Member States and international organizations. Cooperation has increased with regard to the coordination of visits to Member States and participation at relevant conferences, joint visits to States and participation in workshops organized by one of the expert groups or under the auspices of one of the Committees. The Committees continue to believe that those coordinated visits and workshops are very important tools to enhance the dialogue with Member States, to help improve the understanding of the distinct although connected and complementary mandates of the three Committees and to assist Member States in the implementation of the relevant resolutions. As an important step in that regard, we welcome the recently finalized common strategy of the three expert groups to engage with international, regional and subregional organizations.

In accordance with the needs expressed by Member States, the three expert groups have commenced exchanging information on the technical assistance needs of particular countries, with a view to furthering cooperation in that domain while bearing in mind the different mandates and roles of each Committee with regard to technical assistance.

Information exchange is another important area of cooperation, which is also dealt with in greater detail in the joint report.

In addition to outreach activities and internal exchange of information, the three expert groups continue regular meetings among the heads of each team, as well as at the expert level, in preparation for visits, workshops and other joint activities.

Moreover, the CTC invites the Monitoring Team, the 1540 Committee experts, the Counter-Terrorism Implementation Task Force (CTITF) and other relevant United Nations offices on a regular basis to meetings with international and regional organizations. The 1540 Committee working group on cooperation with international organizations has also invited the other two expert groups to meetings with international organizations.

One point that I would like to refer to in greater detail is the issue of co-location. The co-location of the three expert groups would greatly contribute to enhanced cooperation and information exchange among them. In that context, I would like to recall that in resolution 1904 (2009) and as recently reaffirmed in the presidential statement adopted on 27 September 2010 (S/PRST/2010/19), the Security Council reiterated the need to enhance ongoing cooperation among the three Committees and their respective expert groups and requested the Secretary-General to make the necessary arrangements for the groups to be co-located as soon as possible. In order to underline the importance of this matter, the three Chairmen recently wrote to the Secretary-General to draw his attention to that request by the Security Council.

As the three expert groups are also members of the CTITF, the Task Force provides an additional framework within which the groups can further coordinate their activities and share information.

Terrorism and the proliferation of weapons of mass destruction to non-State actors continue to be a global threat to international peace and security that requires a global answer. Cooperation and coordination are therefore crucial elements in those efforts. The three subsidiary bodies of the Security Council and their respective expert groups are committed to continue to cooperate and to coordinate their work, within their respective mandates, in order to contribute to an effective and efficient approach within the overall United Nations framework, and within the broader efforts of the international community. We recently convened a meeting with representatives of the three Committee Chairmen and the three expert groups to exchange information about the status of ongoing cooperation and to explore further ways to enhance it.

Ambassador Apakan, Ambassador Heller and I have prepared some personal observations on the aspects of cooperation based on our experience as Chairmen of these three Committees. Given the limited amount of time available, I will also not read out those observations. However, copies will be distributed in the Chamber. Nevertheless, we hope that those observations will find interested readers, in particular as the upcoming mandate renewal of CTED at the end

of this year could be the next opportunity for the Security Council to provide further guidance on these areas of common interest.

**The President**: I thank Mr. Mayr-Harting for that statement. I now give him the floor once again in his capacity as Chairman of the Security Council Committee established pursuant to resolution 1267 (1999), concerning Al-Qaida and the Taliban and associated individuals and entities.

**Mr. Mayr-Harting** (Austria): Again, as you requested, Mr. President, I shall abbreviate my text and read out what I consider to be the most important elements. The rest will be circulated among colleagues.

Since I last briefed the Council in May 2010 (see S/PV.6310), there have been a number of significant developments in the work of the Committee and the sanctions regime it is tasked to oversee. I therefore welcome this opportunity to update the Council.

The review process, which was the first of its kind conducted by a United Nations sanctions committee, has been the main focus of the Committee's work over the past two years. It has served as an important function both in improving the quality of the consolidated list and in advancing the overall credibility and transparency of the Committee. The Committee concluded its review on 29 July, after the Security Council extended the review period by one month. On 29 July, I also gave an open briefing to all Member States on the results of the review. I will therefore only briefly recapitulate the main results, which I consider quite impressive.

Of the 488 names reviewed, the Committee found that the listings remained appropriate for 443, and removed 45 names from the list. In addition, de-listing requests submitted for 58 names in the course of the review remain under the consideration of the Committee.

The review demonstrated that the Committee relies heavily on the cooperation of Member States, for which we were grateful. I am confident that the high level of engagement has contributed to a better understanding of the Committee's work.

In a similar vein, the Committee reiterates its standing invitation to Member States to attend Committee meetings to discuss relevant issues. We recently discussed a new approach to invite Member States to take a more active part in forthcoming reviews.

The Monitoring Team produced a report on the conduct and the results of the comprehensive review, including a set of valuable recommendations. The Committee is currently concluding its consideration of the report and the recommendations contained therein and will shortly submit its position to the Security Council. The comprehensive review set the standards for future additional reviews introduced by resolution 1904 (2009), namely for listed persons who are reportedly deceased, for entries that lack identifiers for effective implementation and for names on the Consolidated List which have not been reviewed in three or more years.

Such reviews represent an important step in making the Consolidated List a more dynamic document that responds better to the evolving and continued threat, and that is more up to date and contains the most complete and accurate information possible on the identity and whereabouts of listed parties in order to enable Member States to effectively implement the three sanctions measures that apply to them.

During the course of the comprehensive review, the Committee also addressed the issue of deceased persons on the List. Prior to the review, there was only one single case of the removal of a deceased person from the Consolidated List. At the conclusion of the review, eight additional deceased persons had been removed from the List: two names associated with the Taliban and six names associated with Al-Qaida. However, there remains a considerable number of deceased persons on the List, which is why the Committee will conduct a specific review of deceased persons in accordance with paragraph 26 of resolution 1904 (2009).

The Committee will soon be preparing the modalities of that review, which will be conducted in the upcoming months. In that connection, I would like to mention that the Committee recently discussed a recommendation by the Monitoring Team to clarify the process by which Member States need to submit the necessary information to the Committee certifying the death of the individual. The Committee will soon be in a position to inform Member States about those requirements and procedures.

As a further attempt to improve the quality of the List, the Committee is currently also discussing the issue of entities that have ceased to exist and is considering a review of that matter.

Finally, the Security Council also directed the Committee to review all matters that were pending or on hold as of 17 December 2009. The Committee has commenced that review for the 23 items that fall within its scope.

I would like also to highlight the new procedures for matters that are pending and were placed on hold after 17 December 2009. As called for in resolution 1904 (2009), the Committee adopted revised guidelines on the conduct of its work, which bring those new improvements into the Committee's practice and also introduce a new procedure for such pending issues. The procedure foresees regular updates by Committee members on the status of resolving such matters and introduced detailed rules for the time limit.

The most significant step in resolution 1904 (2009) was the establishment of the Office of the Ombudsperson to assist the Committee when considering de-listing requests. On 3 June 2010, the Secretary-General appointed Judge Kimberly Prost as Ombudsperson. Since her appointment, the Ombudsperson has swiftly commenced her important work. The Ombudsperson has kept the Committee informed of developments in all cases before her, in accordance with resolution 1904 (2009). I would like to underline the importance of permitting the Ombudsperson to fulfil her mandate without interference and in an impartial and independent manner.

Regarding updates on the status of the Consolidated List, the narrative summaries of reasons for listing and outreach activities by the Monitoring Team and the Committee, I refer to the more comprehensive version of my statement.

In concluding my remarks as Chairman of the Committee in the name of the Committee, I would like to remind the Council that in a previous meeting I already mentioned the challenges the 1267 sanctions regime has been facing (see S/PV.6310). Over the past two years, the Committee has experienced growing criticism by States, individuals and courts because of procedural and human rights concerns. National parliaments, national and regional courts and civil society as well as international bodies, including United Nations bodies, have pointed out shortcomings of the 1267 sanctions regime. The Committee and the Security Council have listened to those voices and have taken important steps to address many of those concerns in resolutions 1822 (2008) and 1904 (2009). The Committee has also strengthened fair and clear procedures by revising its guidelines and internal methods accordingly, and that has not gone unnoticed.

However, the recent judgment of the European General Court in the case of *Kadi II* and other court cases show that challenges remain. The high level of engagement of Member States, for example during the review, suggests that they continue to share the Security Council's concern that there should be a coordinated international response to the threat posed by Al-Qaida and the Taliban. It is therefore important that the Committee continue to engage in dialogue to find appropriate ways and means to respond to those challenges.

As I have highlighted several times, improving the procedures will make the regime stronger and therefore a more effective tool in the fight against terrorism. The Committee should remain on this track. Significant improvements to ensure fair and clear procedures have already been achieved, and that process will hopefully be continued in future.

Before closing this formal part of my statement, I would like to take the opportunity to thank the members of the Monitoring Team, the Secretariat and the Committee members for their invaluable contribution in coping with the enormous work challenges during the last two years.

I have now come to the end of the text that I was asked to present in the name of the Committee. I would like to make just a few comments, as you suggested, Mr. President, in my personal capacity after having nearly terminated two years of work at the head of the Committee. I wish to underline that these comments oblige only me and do not represent agreed positions by the Committee.

The Committee's comprehensive review was — and this is my personal conviction — a groundbreaking and unprecedented step. It was the first time ever that a sanctions committee conducted such a thorough review. I have already given the numbers: 488 names were carefully scrutinized and 45 entries were deleted, and some 60 de-listing requests are still pending. About 270 list entries — and I think this is also important —

that were added in 2001 have been reviewed for the very first time since they were listed.

However, despite those efforts a number of problematic entries, such as deceased people, defunct entities and entries lacking identifying information, remain on the list. I have already referred to the additional reviews that were introduced by resolution 1904 (2009) — a review of deceased persons, a review of entries that lack identifiers and the triennial comprehensive review of each name on the list. This basically means that in the future, in more complex cases, the Committee will in fact review some names up to three times, in three separate reviews, and that in itself is a positive development. In addition, the Committee recently agreed to conduct a specific review of entities that have ceased to exist, which is in fact a further step beyond what is provided for in resolution 1904 (2009).

I have already referred to the appointment of Judge Kimberly Prost as Ombudsperson, which was an important and significant step.

I feel very strongly that we should give Judge Prost, who is a remarkable person, the time to show her merit. I would like to note that she has just started working on her first cases, and I reiterate the importance of Member States fully cooperating with her and providing her with all relevant information.

The Council will remember that there was a discussion at the time about whether the Ombudsperson would be given the possibility to present recommendations. Having seen Judge Prost, I feel that the Committee will attach full weight to her written reports, and in practice, the artificial distinction drawn between recommendations and observations might very well become irrelevant.

Finally, given the fact that the Ombudsperson was appointed six months after the adoption of resolution 1904 (2009), I would be very pleased to see Judge Prost's mandate continue next year. I therefore believe that the Council should consider extending her mandate and also extend the mandate of the Ombudsperson to other sanctions regimes, because the creation of the function was an important first step that will also be beneficial for all sanctions regimes.

Important progress has been achieved over the past two years to strengthen due process in the internal procedures and working methods of the Committee.

As regards the Committee's decision-making, I have clearly gained some experience with the principle of consensus that exists within the Committee. I would thus like to share some thoughts on that principle with the Council, as the principle of consensus has been criticized as giving designating States a right to veto any de-listing request. It is obvious that that is perhaps a rather far-reaching statement, since only a designating State that is a member of the Security Council can participate in decision-making.

While it is true that the consensus rule applies to decisions of all sanctions committees of the Security Council, it is often overlooked that paragraph 4(a) of the Committee Guidelines expressly provides that if, after consultations undertaken by the Chairman, "consensus still cannot by reached, the matter may be submitted to the Security Council". Thus, even under the current procedures, any de-listing request may be submitted to the Security Council for review and subsequent decision by majority rule pursuant to Article 27 of the Charter.

I personally believe — and this is my strong personal view — that it would not be a revolutionary step to adopt the same decision-making procedure — majority voting — for de-listing decisions of the Committee as well. It is also interesting to note that in some instances, such as the granting of humanitarian exemptions pursuant to resolution 1452 (2002), the Committee already takes decisions by so-called negative consensus. That means that the consensus principle has been reversed by requiring the Committee to take a negative decision by consensus.

Finally, the 1267 sanctions regime regarding Al-Qaida and the Taliban has also been criticized recently in the sense that it was no longer a temporary emergency measure to address a specific threat, but an open-ended measure that was not limited in time or space.

It is interesting to note that the Security Council has not adopted a consistent approach in this regard. While some country regimes, such as the Democratic Republic of the Congo, are renewed annually, many targeted sanctions measures — including Sudan, Somalia, Eritrea, the Democratic People's Republic of Korea and others — are open-ended. However, in the 1267 regime the concerns regarding the open-ended nature of the measures are considerably mitigated by the reviews pursuant to resolutions 1822 (2008) and

1904 (2009), which I outlined earlier. At least every three years each name is thoroughly reviewed by the Committee and, as I pointed out, in some cases more that once, twice or even three times.

If the procedure — and this is again a personal suggestion I would like to make — of those triennial reviews were changed to require a positive reconfirmation of each list entry under review, many of the concerns I mentioned would be satisfied. The adaptation of the periodic review procedure would in fact then have the same effect as the introduction of a time limit or sunset clause for the listings and would put an end to the recurring question of whether the sanctions regime is of a punitive or preventive nature.

I am confident that the Security Council and the Committee will continue to actively follow the developments and will continue to look for answers to the concerns raised. The upcoming resolution to extend the mandates of the Monitoring Team and the Ombudsperson in June 2011 will provide the next opportunity for the Security Council to take further steps in that important matter. This is a living process, a living regime that has been adapted continuously. We have succeeded in improving it substantially during the past two years, but I think efforts to further improve it will continue.

**The President**: I thank Mr. Mayr-Harting for his briefing and his personal remarks.

I shall now give the floor to His Excellency Mr. Ertuğrul Apakan, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism.

**Mr. Apakan** (Turkey): I have the honour to brief the Council in my capacity as Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) on the work of the Committee since the previous briefing in May (see S/PV.6310).

As we have seen in many parts of the world in recent months, terrorists continue their activities unabated. In light of that ongoing and evolving threat, we must continue our common efforts and act in full cooperation with each other. We should be as vigilant and resilient as ever, and counter-terrorism should remain a priority for the international community.

Since its establishment, the Counter-Terrorism Committee (CTC) has played an important role in the fight against terrorism. Now the Committee continues to work actively in advancing our global efforts with its more strategic and transparent approach. The Committee tries to increase awareness about the need for more effective implementation of relevant Security Council resolutions, particularly resolutions 1373 (2001) and 1624 (2005), and to enhance cooperation among Member States. The Committee continues to effectively monitor the implementation of resolution 1373 (2001).

One of the main instruments available to the Committee in that regard is the Preliminary Implementation Assessment (PIA). The ongoing stocktaking exercise, in accordance with its new guidelines, allows the Committee to enhance its regular dialogue with Member States and to further identify areas where the implementation of resolution 1373 (2001) is still inadequate.

The Committee organizes and conducts visits to Member States. Those consensual country visits are a fundamental component of the Committee's efforts to monitor and promote implementation of resolution 1373 (2001). They enable us to establish direct contact and dialogue with the national practitioners on the ground and help us better understand the challenges that individual countries are facing.

The Committee and the Counter-Terrorism Committee Executive Directorate (CTED) have placed particular emphasis on capacity-building of Member States, which is one of the main challenges in our fight against terrorism. The Committee held a thematic discussion on technical assistance to explore ways to further facilitate the provision of assistance to relevant Member States. The Committee and CTED have also worked to enhance their ongoing dialogue with Member States, donors and beneficiaries in that regard.

In the past six months, the Committee has tried to make better use of the thematic discussions it organizes on the issues mentioned in resolutions 1373 (2001) and 1624 (2005). Those discussions have proved to be highly useful in helping us understand those issues in greater depth and consider any possible concrete steps that the Committee could take. As part of their more transparent approach, the Committee and CTED have also organized such thematic briefings for the wider membership on four different areas.

In addition to the thematic areas, the Committee has also started discussions on the challenges that some regions face. Those discussions have provided the

Committee with a more in-depth evaluation of the progress and challenges in each region. In accordance with its work programme, the Committee maintained and increased its dialogue and cooperation with other relevant international and regional organizations. In June, an open meeting was held with four regional organizations and bodies. The Committee has also continued the practice of hearing briefings from relevant international and regional organizations and United Nations bodies.

In light of the focused and regional approach the Committee and CTED are pursuing, I wish to mention briefly some of the workshops that have been organized in the past six months in different parts of the world. They have proved particularly important in bringing together the relevant officials of the countries and of regional and subregional organizations to strengthen coordination and cooperation and to ensure better sharing of information and experience. I would like to touch briefly upon only three of the most recent workshops.

The first was the three-day practitioners workshop held in Nairobi in June. It was organized by CTED, in cooperation with the International Organization for Migration, with the participation of operational-level officers from relevant agencies of Tanzania, Uganda and Kenya, as well as a large number of experts from international and regional organizations. A frank and open discussion was held on matters related to effective border control.

In October, CTED organized another workshop in Sarajevo. It brought together senior officials dealing with counter-terrorism coordination from 13 countries in the region and other representatives. It was jointly organized with the Regional Cooperation Council, the Southeast European Cooperative Initiative Center and the United Nations Office on Drugs and Crime and was supported by the Counter-Terrorism Implementation Task Force (CTITF). During the two-day event, participants explored ways to enhance national coordination and regional cooperation in the region.

Last week, CTED organized a workshop at the Jakarta Centre for Law Enforcement Cooperation in Indonesia. This workshop focused on community policing, new payment technologies and investigations using cell phone records and communications. During this event, an additional set of working group sessions was held for counter-terrorism coordinators from South Asia.

The Committee continues to include in its dialogue with Member States discussion of their efforts to implement resolution 1624 (2005). Thus far, a total of 109 States have submitted reports to the Committee on their implementation of the resolution. On the other hand, the Committee encourages Member States to become parties to and implement all international counter-terrorism instruments.

The Committee considers effective counter-terrorism measures and respect for human rights, fundamental freedoms and the rule of law to be complementary and mutually reinforcing. They are an essential part of a successful counter-terrorism effort. Therefore, the Committee has continued to remind Member States that any measures taken to combat terrorism must comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.

I would also like to give the Council a few examples of the Committee's cooperative activities with its partners. The Committee, through CTED, actively contributes to the work of the CTITF. The Committee and CTED continue to engage actively with the other Security Council subsidiary bodies and other relevant entities working on counter-terrorism issues, namely, the Committee established pursuant to resolution 1267 (1999) and its Monitoring Team, and the Committee established pursuant to resolution 1540 (2004) and its Group of Experts. In this regard, the CTC invites to its thematic discussions the Monitoring Team, the Group of Experts, the CTITF, the Office of the High Commissioner for Human Rights and representatives of INTERPOL.

Now, I wish to touch briefly on some activities that the Committee is planning to organize in the near future. One is a seminar on bringing terrorists to justice, which will be held in New York from 1 to 3 December 2010. The seminar will bring together a select group of national counter-terrorism prosecutors who have been involved in highly visible cases within their national jurisdictions. The Committee has made sure that the participants will represent different regions, different levels of development and different legal systems.

A second event that the Committee plans to hold is the next special meeting with international, regional and subregional organizations. The Council of Europe has kindly offered to host that meeting in Strasbourg. Let me express the Committee's appreciation to the

Council of Europe for its generosity. The Committee has accepted this offer and decided to hold this special meeting in April 2011 on the topic of the prevention of terrorism.

To fulfil its mandate, the Committee relies on the cooperation of and dialogue with Member States. I take this opportunity to express the Committee's appreciation to Member States for their cooperation with the Committee and its Executive Directorate, either during the preparations of the Preliminary Implementation Assessment, in the country visits, workshops and briefings, or through their permanent missions in New York. The Committee and CTED wish to continue this dialogue and cooperation with all Member States.

In accordance with this understanding, the Committee and CTED have attached particular importance to keeping Member States abreast of their work. In this regard, the Committee's Executive Director and I gave a briefing to United Nations Member States on 21 July. We intend to organize another similar briefing in the upcoming weeks.

I would like to underline the valuable contributions and excellent work of CTED, under the able leadership of Mr. Mike Smith. CTED has continued to provide the assistance the Committee needed in the course of the past six months. I also wish to thank the Secretariat for its continuous support.

Now, I will proceed to the second part of my statement. In my personal capacity, I would like to share with the Council and Member States some of our assessments, views and suggestions on the work of the CTC. I wish to thank the United Kingdom presidency for arranging this open debate with this particular forward-looking format.

In the beginning of this year, one of the priorities of the Counter-Terrorism Committee was to streamline its working methods to allow more time for substantive and analytical work. Starting in February, the Committee has spent less time on technical matters and documents, and held in-depth discussions on the key thematic areas and regions with a strategic approach in an effort to better understand the evolving nature of the threat of terrorism.

Furthermore, during the meeting held in Ankara in June 2010, which brought together officials from the capitals of the Security Council members with key counter-terrorism figures in the United Nations system, the issues that merited more attention and the steps to be taken were further explored in an informal setting. Most of the challenges that need to be addressed for better international cooperation and national coordination were highlighted in the comprehensive presidential statement (S/PRST/2010/19) adopted at the thematic discussion of the Security Council on 27 September 2010 (see S/PV.6390).

I believe that the Committee has played and will play a critical role in our global fight against terrorism, based on its sound legal framework. The CTC should continue to pursue its focused and strategic approach. This will require further improvements in the working methods of the Committee.

At the beginning of this year, the procedure for adopting the Preliminary Implementation Assessments was substantially amended. Now it is time to improve the format of the Assessments, with more focus on the gaps and needs. This will help us to better monitor implementation and identify the needs of each Member State. Ensuring effective implementation is of high importance if we are to succeed in our endeavours to combat terrorism. Since capacity-building is one of the main challenges, particularly for some regions, in implementing relevant resolutions, the Committee and CTED should continue to focus on this matter as well.

With a view to making the Committee's work more accessible to Member States, Mr. Smith and I have given two briefings so far to the wider membership, and CTED has made presentations to all Member States on eight different topics. These briefings and presentations have proved to be very useful in promoting more intensive dialogue and interaction between the Committee and Member States. The CTC and CTED have gained a lot from the views and suggestions expressed at these meeting. Such meetings should continue, since it is also the responsibility of the Committee and CTED to update all Member States on the new developments and challenges. In this respect, I would also like to suggest that we explore new possible ways to increase the interaction between CTC and Member States.

The current threat of terrorism demands a comprehensive and holistic approach. Therefore, apart from combating terrorism, it would be useful for the CTC to place greater emphasis on the prevention of terrorism, in cooperation with CTITF and other

partners. I believe that the recent decision of the CTC to organize the next special meeting at the Council of Europe in Strasbourg on this topic will be a step in the right direction.

Another area that merits particular attention is incitement to terrorism. CTC and CTED should be encouraged to continue their efforts to work with Member States, in particular in a regional and subregional approach, with a view to addressing different and particular aspects of incitement to terrorism.

Let me also emphasize that all counter-terrorism measures should respect the rule of law and human rights. This is important for effective international cooperation on counter-terrorism.

As I mentioned earlier, the CTED has organized regional workshops in different parts of the world. I have touched on these, and believe that they will provide the Committee with more insight into regional achievements and challenges and that it will contribute to better coordination and cooperation among regional countries.

The Committee is now planning to organize a seminar with prosecutors, which is something new. We should build on it. All these activities indicate that there is a need for the CTED to use new tools so that it can use extrabudgetary funding based on the established practices of the United Nations.

Before I conclude, let me underline once again the fact that we are all exposed to the global threat of terrorism and we are all duty-bound to act in solidarity and with a resilient, unwavering and common stance. We should not be complacent.

Today's meeting constitutes another important step to keep counter-terrorism high on the United Nations agenda. I hope that this focused and forward-looking approach of the Council will continue in the future to ensure that the fight against terrorism remains a priority for the United Nations.

**The President**: I thank Mr. Apakan for his briefing and personal comments.

I now give the floor to His Excellency Mr. Claude Heller in his capacity as Chairman of the Committee established pursuant to resolution 1540 (2004).

**Mr. Heller** (Mexico) (*spoke in Spanish*): In addition to the information presented in the joint briefing that was presented by our colleague from Austria, I am pleased, in my capacity as Chairman of the Committee established pursuant to resolution 1540 (2004), to summarize the main developments in the work of the Committee since the last joint briefing on 11 May 2010 (see S/PV.6310).

I would like to update the Security Council on the recent activities of the Committee, highlighting the growing cooperation between the Committee and various international organizations, and the standardization of our work practices in the implementation of resolution 1540 (2004), as well as in increased assistance and transparency.

Building on the 2010 final document of the comprehensive review and the Committee's current programme of work, I have held consultations with the heads of intergovernmental organizations in order to explore ways to further deepen and strengthen cooperation among these organizations and the Committee. These included meetings with the Director-General of the Organization for the Prohibition of Chemical Weapons, Ambassador Üzümcü; with the Director General the International Atomic Energy Agency, Ambassador Amano; and with representatives of the European Union. In addition, on 21 October, in my capacity as Chairman of the 1540 Committee and at their invitation, I addressed the Group of Eight Non-Proliferation Directors Group in Vancouver, Canada.

Furthermore, I carried out consultations in Paris, London, Beijing and Moscow in March, and consulted other Member States in New York to explore, among other topics, their views on the extension of the 1540 Committee mandate beyond 25 April 2011. In addition, following a meeting with European Union representatives in Brussels, the 1540 Committee was briefed by Ms. Annalisa Giannella, the European Union Personal Representative on non-proliferation of weapons of mass destruction (WMD). As listed in the document that has been circulated in the Chamber, there were other meetings and consultations held by the 1540 Group of Experts during this period.

The 1540 Committee and its Group of Experts continued to participate in outreach events at the international, regional or subregional levels to facilitate States' implementation of resolution 1540 (2004). These events included two regional workshops organized by the United Nations Office for

Disarmament Affairs, which focused on border control and exported materials. The first workshop, for South-East European States, took place from 14 to 17 June in Split and was hosted by the Government of Croatia. The second, for South-East Asian States, took place from 28 September to 1 October in Hanoi and was hosted by the Government of Viet Nam. Both workshops enjoyed the support of the European Union and of the Governments of the United States and of Norway and, in the case of the Hanoi workshop, the Government of New Zealand aw well. The other activities in which the 1540 Group of Experts participated are listed in the document circulated in the Chamber.

As for the implementation of resolution 1540 (2004), during the past six months, the Committee received a first report from Togo on its implementation. At the same time, I also continued to meet with representatives of States that have not yet submitted their first reports. For example, recently I met with the representatives of the Democratic People's Republic of Korea and Ethiopia, among others, with whom we exchanged points of view, and I reminded them of their obligation to present such reports.

The Committee also received additional information from Brazil, Canada, Ireland, Pakistan, Portugal, and Uganda. In the case of Canada, it included a voluntary action plan in its submission. Using this and other information, the Committee is reviewing 75 matrices and anticipates engaging in the review of another 117 before the end of 2010. The information in these matrices forms the basis of the data that will appear in the 1540 Committee's report to the Security Council, due in April 2011.

In terms of assistance, the Committee has also consolidated a database on assistance requests and adopted new procedures for handling formal requests for assistance. The Committee received new requests for assistance from Iraq, Uganda and the Central American Integration System. The Governments of Canada, the United States and Poland notified the 1540 Committee of their offers of assistance.

With regard to transparency, the Committee adopted new procedures for publishing reports from Member States, as well as for its matrices and assistance requests. On its webpage, the Committee also added a "Frequently Asked Questions" section and a calendar of upcoming events, and began developing a "What's New" section.

In addition to the activities described earlier relating to the enhancement of cooperation with other international organizations, the Government of Austria has informed the Committee that it is hosting a meeting for international, regional and subregional organizations in Vienna on 15 and 16 December to promote cooperation on the implementation of resolution 1540 (2004).

It is my intention to participate in that meeting and in a regional workshop organized by the Government of Saudi Arabia for 11 and 12 December. Similarly, as the 1540 Committee looks forward to preparing its 2011 report to the Security Council, the Committee and its Group of Experts will continue to participate in international conferences and in regional and subregional outreach activities so as to gather more information on assistance and on measures adopted towards the implementation of resolution 1540 (2004).

I would now like to make a few personal comments based on my experience as Chairman of the 1540 Committee, especially in the light of the mandate that is to be renewed next April.

As I mentioned earlier, the chairmanship has carried out a series of consultations in capitals and in New York with a view to be in a position to present an assessment of elements that, in our opinion, should be taken into account by the Council during its deliberations on the renewal of the Committee's mandate, before the conclusion of Mexico's membership of the Council.

In my opinion, in the first years of its existence, the Committee focused primarily on actions related to increasing the awareness of Member States of their obligations under resolution 1540 (2004), and in assisting them in preparing legislative measures to ensure compliance with the resolution. Speaking generally, I could say that the Committee has successfully completed this first stage. The challenge now is to support and help States to take relevant concrete measures to guarantee the compliance of their legislative provisions.

More than six years after the adoption of resolution 1540 (2004), the renewal of its mandate is an excellent opportunity to reflect on the best way to adapt the Committee to respond to current proliferation

threats from non-State actors. I would like to point out five areas upon which I believe we will need to reflect in our discussions on renewing the mandate: first, areas that warrant greater attention from the Committee; secondly, the Committee's relationship with relevant international bodies; thirdly, strengthening the Committee as a platform for cooperation and enhancing its ability to facilitate assistance to States; fourthly, the structure of the Group of Experts; and fifthly, the very relevant issue of the duration of the Committee's mandate.

In its broad review, the Committee identified a few areas in which States have taken relatively few measures. Of the three categories of weapons of mass destruction, the biological sector is the one where the fewest measures have been identified. Likewise, vector systems, control lists and the financing of banned proliferation activities have been identified as areas that warrant particular attention.

The 1540 Committee currently enjoys the support of a Group of Experts consisting of eight individuals. This contrasts significantly with the staff and resources of such international bodies as the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons or the World Customs Organization. These bodies have direct jurisdiction in areas relevant to the implementation of resolution 1540 (2004). In this respect, I am convinced of the urgent need to strengthen cooperation with these bodies, in particular in the area of information exchange, with full respect for their various mandates.

The universal nature of the obligations under resolution 1540 (2004), on the one hand, and the high degree of specialization within international bodies in aspects related to the implementation of resolution 1540 (2004), on the other, ensure that close cooperation between both sides would be mutually beneficial and strengthen compliance with the various mandates.

The growing recognition on the part of the international community of the value of the work of the 1540 Committee arises largely from the cooperative approach taken by the Committee. During our chairmanship, we have worked to strengthen the Committee as a platform for cooperation. Nonetheless, we must continue to strengthen its work in the areas of cooperation and assistance.

The implementation of the provisions of resolution 1540 (2004) depends not only on the political will of States, but also on the Committee's resources for the application of specific security measures. In this respect, the Committee must continue to play an active role to ensure the coordination of requests for assistance with offers to assist.

The work of the Group of Experts is crucial to the Committee's work. However, since it was established, the Group of Experts has worked without a specific structure or a clear division of functions. I therefore believe it necessary to establish a structure to permit it to function more effectively. That task should not be too complex, and the appointment by the Committee or the Secretary-General of a coordinator could be a first step to that end.

Finally, and bearing in mind that, unfortunately, we cannot predict whether threats related to the proliferation of weapons of mass destruction due to actions by non-State actors will cease to exist in the short or the medium term, the Committee's mandate could be extended for a period longer than three years. In my opinion, one option would be to renew the Committee's mandate for 10 years, while planning a review after five, similar to the review cycle of the Treaty on the Non-Proliferation of Nuclear Weapons. The Committee would thereby be in a position to better plan its needs with greater certainty. The international community urgently needs a long-term strategy for addressing non-proliferation challenges through cooperation with Member States.

Lastly, I would like to thank the members of the Committee, the Group of Experts and the Secretariat for their support of our work.

**The President**: I thank Mr. Heller for his briefing, and all three Chairmen for their important personal comments and recommendations, which will be very valuable to their successors.

In accordance with the understanding reached among Council members, I wish to remind all speakers to limit their statements to no more than five minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

I now give the floor to the members of the Council.

**Mr. Churkin** (Russian Federation) (*spoke in Russian*): We thank the Permanent Representatives of Austria, Mexico and Turkey, Ambassadors Mayr-Harting, Heller and Apakan, respectively, for their briefings on the work of the Committees they head and for their views. The Russian Federation considers the strengthening of the efforts of these Committees and their Groups of Experts to be an important condition for enhancing the effectiveness of the Security Council's contribution to countering the global terrorism threat.

Among the most substantive aspects of the Committees' activities since the briefing in May (see S/PV.6310), we note the following. The Counter-Terrorism Committee (CTC), backed by its Counter-Terrorism Executive Directorate (CTED), continued to actively monitor implementation of resolution 1373 (2001) and work on resolution 1624 (2005). Moreover, the CTC and CTED increased the transparency of their work. The Russian Federation supports that approach, believing that it promotes fuller implementation of resolutions 1373 (2001) and 1624 (2005) by all States.

We note that the CTC's continued dialogue with States in the framework of the procedure of Preliminary Implementation Assessments of resolution 1373 (2001) and its country visits are yielding results. We advocate further improvement of these fundamental monitoring instruments of the Committee.

Among the thematic priorities dealt with by the CTC, we note the subjects of specialized international cooperation, extradition and mutual legal assistance, as well as the issue of curbing incitement of terrorist acts in accordance with resolution 1624 (2005).

We believe it is necessary to step up efforts to implement resolution 1624 (2005), develop the practice of including relevant issues on the programme for country visits, analyse best practices and experience with a view to their wider dissemination, and prepare a further global report on the state of affairs in this area.

In this context, we welcome the recent decision of the CTC to hold a meeting of the Committee in April 2011, at the Council of Europe in Strasbourg, with international, regional and subregional organizations on the subject of preventing terrorism. We believe that this meeting will create conditions conducive to an in-depth consideration of the whole range of issues related to resolution 1624 (2005). It is also important that the specialized Committee of the Security Council once again bring international organizations together to discuss the latest challenges in contemporary counter-terrorism efforts.

We welcome the assistance given to the Counter-Terrorism Committee by its Executive Directorate. We support in every way the participation of the Directorate on the basis of the existing mandate and the efforts of the Counter-Terrorism Implementation Task Force of the United Nations Global Counter-Terrorism Strategy and its cooperation with the expert groups of Security Council specialized committees.

The Committee established pursuant to resolution 1267 (1999) remains one of the fundamental mechanisms of the Security Council in suppressing the terrorist activities of Al-Qaida and the Taliban and the spread of their influence and extremist ideology. We call on all States to take firm measures with respect to individuals and entities on the sanctions list, as stipulated in the relevant Security Council resolutions and in the guidelines for the work of the 1267 Committee.

We support the Afghan leadership's policy aimed at national reconciliation and the reintegration into society of those members of illegal armed groups who are not tainted by crimes against the Afghan people, who have renounced violence and ties with Al-Qaida and who have recognized the Constitution of the Islamic Republic of Afghanistan.

We continue to believe that removing individuals from the sanctions list is possible only on an individual basis. At the same time, we consider unacceptable any proposals for the simplified de-listing of some categories of individuals or entities on the list contrary to existing procedures. We support the efforts of the Committee and its Monitoring Team in keeping the sanctions list up to date so that it reflects the real nature of today's terrorist threat.

The comprehensive review of the list that was carried out was aimed at enhancing the effectiveness of the Committee's work and strengthening the sanctions regime. We hope that the Ombudsperson, who has begun work on de-listing, will contribute to making the Committee's procedures more transparent, so as to avoid doubts about the legitimacy of applying sanctions, including on the part of regional and

national courts. We call on States, pursuant to resolutions 1735 (2006) and 1904 (2009), to continue to submit to the Committee requests for inclusion on the sanctions list of individuals and organizations with ties to the Taliban and Al-Qaida, including those who finance their terrorist activities through income from the illegal drug trade.

The Russian Federation attaches great importance to the unswerving implementation by all States of resolution 1540 (2004) and subsequent resolutions 1673 (2006) and 1810 (2008), which are designed to serve as a reliable obstacle to prevent weapons of mass destruction, their means of delivery and related materials from falling into the hands of terrorists. The Council Committee established pursuant to resolution 1540 (2004) plays a key role in reinforcing and enhancing the effectiveness of international efforts to carry out the measures provided for in these resolutions. We believe that the Committee and its group of experts worked hard during the reporting period to help to further enhance the activities of the international community to counter proliferation risks and threats.

We welcome the efforts to make the work of the Committee more planned and systemic, and we hope that these efforts will be continued. We are in favour of the Committee continuing to give priority attention to the tasks of assisting States in implementing resolution 1540 (2004) and coordinating activities by the international community to that end. For our part, we are ready to continue actively supporting these measures, including in the context of our ongoing cooperation on issues related to resolution 1540 (2004) with member States of the Commonwealth of Independent States.

**Mr. Onemola** (Nigeria): I would also like to convey our appreciation to you, Mr. President, for convening this debate. I thank the Permanent Representatives of Turkey, Mexico and Austria for their useful briefings on the activities carried out by their respective Committees and teams.

We are pleased with the efforts of the Committee established pursuant to resolution 1373 (2001), under the direction of Ambassador Apakan, in ensuring the effective implementation of that resolution and resolution 1624 (2005). Through the effective use of tools such as informative meetings with the wider United Nations membership, dialogue and cooperation with Member States and external outreach programmes, the Committee has contributed significantly to raising awareness on the need to implement those resolutions.

We have found very useful the ongoing constructive dialogue between our Mission, our capital and the Counter-Terrorism Committee Executive Directorate (CTED) on counter-terrorism matters. These interactions and political consensus with our Government have bolstered our counter-terrorism activities. We thank Mr. Mike Smith, Executive Director of CTED, and his team for their support and efforts.

We welcome the discussions in the Committee on the progress and challenges facing West Africa in the implementation of resolution 1373 (2001). We all now have a better understanding of the current threats and challenges in the subregion. We should now aim to address the identified gaps. With regard to capacity-building, we are of the view that more will be achieved by delivering assistance in an integrated manner through equal focus on all relevant national sectors. At the same time, we will need a self-sustaining knowledge transfer aimed at bridging the existing knowledge gap.

The Economic Community of West African States (ECOWAS) is vital in our efforts to promote counter-terrorism measures within the West African subregion. That is even more so as counter-terrorism matters increasingly occupy the agenda of West African States, individually and collectively. Our hope is that, in the coming year, the partnership between CTED and ECOWAS will result in concrete achievements.

The Committee established pursuant to resolution 1540 (2004) remains a vital tool that enables the international community to prohibit non-State actors access to weapons of mass destruction. Nigeria strongly supports the work of the Committee and appreciates the efforts made by Ambassador Heller and the Committee, particularly in improving outreach programmes and greater visibility for the Committee. The clearing house role of the Committee in matching assistance requests and offers needs to be sustained, so as to promote greater implementation of the resolution by States.

As its work continues to grapple with the increasing challenge of the proliferation of weapons of mass destruction, the Committee should not relent in

its efforts to assess and monitor the risk of these weapons falling into the hands of non-State actors. Promoting the broader process of international cooperation should continue to be an area of focus for the Committee.

We welcome the remarkable contributions of the Committee established pursuant to resolution 1267 (1999) under the directorship of Ambassador Thomas Mayr-Harting. The conclusion of the review of the 488 names on the consolidated list, in accordance with Security Council resolution 1822 (2008), and the appointment of Ms. Kimberly Prost as the Omnbudsperson are positive steps.

We further welcome the efforts of the Committee to improve its procedures, including by adopting new guidelines for its work. In the same vein, the six-month review of deceased persons' names and the annual review of names on the consolidated list that have not been reviewed in three or more years are commendable. These measures should be strengthened through regular improvement of the identification and de-listing process of individuals and entities, as this will enhance the credibility of the 1267 sanctions regime. It is important that, at all times, the list remain as accurate as possible, and the fundamental rights of individuals adequately guaranteed.

We welcome the close cooperation and coordination among the three counter-terrorism Committees. We encourage them to continue their joint efforts to improve information-sharing, to coordinate their relationship with international, regional and subregional organizations and to participate within the framework of the Counter-Terrorism Implementation Task Force.

**Mr. Kodama** (Japan): At the outset, I would like to express my appreciation to the Chairs of the Council's three counter-terrorism-related Committees for their respective briefings on developments during the past six months.

The recently uncovered cargo plane bomb plot and last year's attempted bombing of a United States commercial aircraft remind us yet again that terrorism continues to be a global and imminent threat and that deep-seated problems surrounding terrorism, such as radicalization and terrorist safe havens, need to be addressed in an appropriate manner.

To eradicate terrorism, a multifaceted approach by all stakeholders is vital. These three committees play a significant role in that regard and should continue their efforts to develop further effective and efficient measures.

As we are all aware, the threat of terrorism posed by Al-Qaida and the Taliban continues unabated. The sanctions imposed on individuals and entities associated with Al-Qaida and the Taliban under resolution 1267 (1999) and its successor resolutions — travel bans, freezing of assets and arms embargoes — continue to play a crucial role in countering terrorism. In order for the 1267 sanctions regime to be fully effective and legitimate, our continued efforts to ensure the credibility of the Consolidated List are indispensable.

In that context, we regard the improvement of the 1267 regime, pursuant to resolution 1907 (2009), as instrumental in enhancing due process and raising the List's transparency and efficiency. We also welcome the recent successful review of the Consolidated List pursuant to paragraph 25 of resolution 1822 (2008), and the commencement of work by Ms. Kimberly Prost, who was appointed Ombudsperson on 3 June. We are grateful to the Chair of the 1267 Committee, Ambassador Mayr-Harting, and to the Austrian Mission and the Monitoring Team for their devoted work on reviewing the Consolidated List. We continue to support their efforts to improve the sanctions regime without compromising its effectiveness and efficiency as a counter-terrorism measure.

I welcome the excellent work done by the Counter-Terrorism Committee (CTC) under the leadership of the Chair, Ambassador Apakan of Turkey, and by the Counter-Terrorism Committee Executive Directorate (CTED) to encourage Member States to fully implement resolution 1373 (2001). We recognize that in recent CTC meetings we have had fruitful discussions on substantive and regional issues. It is our hope that we will have further discussions on thematic issues and that those will facilitate the formulation of best practices and effective recommendations in the field of counter-terrorism.

Japan supports the stocktaking exercise for the review of the implementation of resolution 1373 (2001) by all Member States. The exercise contributes to identifying the challenges that Member States face in that area and the technical assistance they require. In

that regard, we would stress that all Member States should cooperate fully with CTC and CTED and make a determined effort to submit their Preliminary Implementation Assessments on time.

We would also like to highlight the importance of the country visits that have been conducted by CTC and CTED. Country visits, through direct contact with the relevant authorities, provide a means to ascertain the counter-terrorism situation in a given country and to identify the concrete technical assistance needed for capacity-building. To further enhance the efficiency and effectiveness of CTED operations, we hope to see more strategic execution of its country visits, through, for example, prioritizing certain regions and areas.

We note that the Council will discuss the draft resolution to extend CTED's mandate next month. Japan attaches great importance to the role of CTED in determining essential technical assistance needs among Member States in the field of counter-terrorism. With that in mind, Japan will participate in the discussion of the draft resolution in a constructive manner.

Japan appreciates the enhanced work of the 1540 Committee throughout this year. We believe that the Committee's work has become more effective and better coordinated under the leadership of its Chair, Ambassador Heller of Mexico, particularly from the perspective of expanding the scope of its cooperation with regional and international organizations. Japan is delighted to have been able to support the Chair's efforts through our role as coordinator of the Working Group on Monitoring and National Implementation. It is our strong desire that the 1540 Committee will deepen its cooperation with other relevant bodies, above all, with the 1267 and 1373 Committees, in order to ensure that Member States will fully meet their obligations stipulated under resolution 1540 (2004).

The mandate of the 1540 Committee will expire next April. Given the important role the Committee plays in the area of non-proliferation, Japan hopes that in the discussion of the renewal of its mandate, all the experience gained and lessons learned from its past activities will be taken fully into account. One of the key features of the Committee's work is its cooperation with Member States to ensure full implementation of the resolution. Needless to say, Japan will continue to offer its assistance in promoting the objectives of resolution 1540 (2004), in close cooperation with the 1540 Committee and in other international forums, including the Group of Eight. Through such assistance, joint efforts of likeminded countries and close coordination among the relevant organizations, the work of the 1540 Committee will move on from the stage of awareness-raising to that of strengthening Member States' capacity to advance the goals of non-proliferation.

Lastly, we appreciate the close cooperation between the three subsidiary Committees, aimed at maximizing the functions mandated by their respective Security Council resolutions. We also commend the contribution their work makes within the framework of the Counter-Terrorism Implementation Task Force. Cooperation, coordination and coherence in that area should make the most of the Committees' limited capacities and resources by avoiding duplication and overlap.

**Mr. Salam** (Lebanon) (*spoke in Arabic*): I would like to thank the Chairs of the three Committees — the Permanent Representatives of Austria, Turkey and Mexico, Ambassadors Mayr-Harting, Apakan and Heller — for their comprehensive briefings and efforts with other Council members in promoting international cooperation on counter-terrorism. Allow me to make the following points.

First, with regard to the sanctions Committee against Al-Qaida and the Taliban, established pursuant to resolution 1267 (1999), we welcome the completion of the review process in accordance with resolution 1822 (2008). It was a very serious effort that led to indispensable amendments, and it should be continued in order to clear the names of those who are dead or are no longer associated with Al-Qaida or the Taliban.

We also welcome the steps taken to promote transparency and respect for human rights laws, in accordance with resolution 1904 (2009), in particular the appointment of the Ombudsperson and the amendment to the Committee's system of work. We welcome further the reforms needed to avoid use of the Committee for goals for which it was not established. We would like to recall that in order for the Committee to enjoy full legitimacy, it must function in accordance with international law, the United Nations Charter and other instruments and rules of human rights, even of a preventive nature.

Second, with regard to the Counter-Terrorism Committee established pursuant to resolution 1373 (2001), we encourage the thematic discussions and studies aimed at countering terrorism, as well as the

workshops that the Committee and its Executive Directorate have conducted. We hope this will lead to further implementation of the requirements of resolution 1373 (2001), particularly in the area of the exchange of expertise. We appreciate the efforts made by the Counter-Terrorism Committee Executive Directorate to provide the necessary technical assistance and build the capacity of Member States, particularly developing countries, in the areas of legislation and institutions, and to continue its cooperation and constructive engagement with States and regional and national organizations, in accordance with resolution 1373 (2001).

With regard to the Committee established pursuant to resolution 1540 (2004), Lebanon stresses the importance of its ongoing cooperation with the Members of the United Nations, particularly since cooperation is the best way to prevent all these weapons — be they nuclear, chemical or biological — from falling into the hands of non-State actors.

At the regional level, we stress the importance of the efforts of the League of Arab States to prevent the proliferation of weapons of mass destruction and access to them by terrorists. We also emphasize the importance of declaring the Middle East a region free of weapons of mass destruction.

The 1540 Committee has made tireless efforts to respond to requests for and offers of assistance and to increase its transparency and contacts with Member States. Ongoing coordination between the Committees established pursuant to resolutions 1267 (1999) and 1373 (2001) is of the utmost importance, particularly since they are also linked to resolution 1540 (2004) and its provisions. We believe that resolution 1540 (2004) has become a fundamental cornerstone of the non-proliferation regime and that further cooperation and partnership between the Committee and related international organizations — including the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons, the World Customs Organization, the United Nations Office on Drugs and Crime and others — is also critical.

We stress the importance of the proposal made in the 2009 comprehensive review to commend Member States that are not members of the Security Council but have contributed greatly, through the hosting of workshops, to raising awareness and the exchange of expertise and confidence-building with neighbouring countries. In that regard, we extend our thanks to Croatia, Viet Nam, Peru and Brazil for all their efforts.

In conclusion, we recall that Lebanon, which has suffered from terrorism in all its aspects, believes that terrorist acts are extremely dangerous and widespread in many parts of the world in spite of the resolutions adopted and measures taken against them by the United Nations. We believe that commitment to combating terrorism at its roots by removing all the factors fuelling it — particularly hotbeds of tension, double standards in applying international resolutions, poverty, foreign occupation and human rights violations — is of the greatest importance.

**Mr. Barbalić** (Bosnia and Herzegovina): Allow me at the outset to express our appreciation to Ambassador Mayr-Harting, Ambassador Apakan and Ambassador Heller for their briefings today and to commend their commitment, contributions and tireless work in chairing the respective Committees. We find these regular briefings to be not only highly important, as the Committees are among the crucial tools in countering terrorism, but also an opportunity for sharing and exchanging information with the wider membership.

The events of recent weeks — waves of devices sent to numerous Governments, embassies and religious institutions — and the ever-present threat of suicide bombs and violent extremism that take the lives of innocent people are a grim reminder of the challenges we need to address. Therefore, we have to continuously rethink our current approaches and engagement with the aim of providing effective international legal cooperation and to properly address existing deficiencies in the capacities of States Members to fully implement the United Nations counterterrorism framework.

Through the years, the Committee established pursuant to resolution 1267 (1999) has evolved into one of the most critical United Nations monitoring bodies in the fight against the threat of Al-Qaida and the Taliban. We welcome the tangible results and progress achieved in the work of the Committee since our last briefing (see S/PV.6310), in particular the completion of a demanding task — the comprehensive review in accordance with resolution 1822 (2008) in July this year.

We stand ready to actively work with the Chairman and the Committee members, taking into

account the contributions of the Monitoring Team and designated Member States to conducting the review of pending issues and deceased persons. The completion of the review process of the consolidated list and the full implementation of resolution 1904 (2009) will further improve the credibility and transparency of the Committee's work.

At the heart of all the criticism regarding the fairness and transparency of the work not only of the 1267 Committee, but of other relevant counter-terrorism bodies as well, lies concern for respect for human rights. Undertaking difficult steps in countering terrorism at the national and international levels, we pledged that the promotion and protection of human rights and the rule of law should remain a priority, as they constitute the fundamental values enshrined in the United Nations Charter and the Universal Declaration of Human Rights. We would like to take this opportunity to congratulate Ms. Kimberly Prost on her appointment and to present our sincere wishes for her future work as Ombudsperson of the 1267 Committee. Although the institution of Ombudsperson still needs to develop its full potential in the days to come, we are confident that Ms. Prost will successfully address all concerns expressed in the past, to the great benefit of the Committee and the Security Council.

With regard to the issue of monitoring the implementation of resolutions 1373 (2001) and 1624 (2005), several aspects of the work of the Counter-Terrorism Committee (CTC) have contributed cumulatively to its efficiency. The continuous assessment and stocktaking of revised Preliminary Implementation Assessments, in accordance with the previous practice, and visibility-raising through more frequent open briefings are beneficial both to Member States, which now have the opportunity to exchange views and offer their experiences, and to the Committee, which is in a position to have better insight into country implementation of the recommendations and consequently extend further technical support.

Since the briefing in May this year, Committee has carried on its active engagement in a series of thematic and regional debates that have brought into perspective all the challenges and difficulties we all face in our common fight against terrorism and efforts to implement our obligations under relevant Security Council resolutions. To that extent, it is necessary to underline the importance of reaching out to partner organizations, and we commend the practice of the CTC of arranging meetings with relevant international, regional and subregional organizations.

Bosnia and Herzegovina will continue fully to support the work of the Counter-Terrorism Committee. We remain strongly committed to the effective prevention of and fight against this global threat, and stand ready to provide every assistance and support to international efforts to that end.

The importance and role of the Committee established pursuant to resolution 1540 (2004) as one of the focal points of the United Nations counter-terrorism and non-proliferation activities has already been well highlighted. We fully recognize the crucial role of the 1540 Committee as a clearinghouse for channelling assistance to Member States in establishing and further developing their capacity to face the threat of non-State actors acquiring weapons of mass destruction. We also believe that the growing acceptance of resolution 1540 (2004) in recent years is a result of increased understanding on the part of Member States of its importance and the Committee's cooperative approach in assisting States in implementation of its provisions.

In that regard, we support the extension of the 1540 Committee's mandate and call for it to be strengthened in material and human resources so as to enable it to provide assistance where and when needed. It is also important that Member States extend their additional support to the Committee's efforts by securing more voluntary contributions for financing its activities, thus enabling the full implementation of resolution 1540 (2004).

In conclusion, Bosnia and Herzegovina will continue to give its fullest support and contribute to the overall international efforts to counter terrorism through its actions at both the national and the international levels.

**Mr. Wang Min** (China) (*spoke in Chinese*): I wish to thank the Chairman of the Committee established pursuant to resolution 1267 (1999), Ambassador Mayr-Harting of Austria; the Chairman of the Counter-Terrorism Committee (CTC), Ambassador Apakan of Turkey; and the Chairman of the Committee established pursuant to resolution 1540 (2004), Ambassador Heller of Mexico, for their respective briefings and for all the work they have done.

With painstaking and protracted efforts, the 1267 Committee has completed the review of its consolidated list, which has greatly enhanced the accuracy and reliability of the list. That represents a significant achievement. China supports the Committee in its efforts to move ahead with the review of pending issues, in line with resolution 1904 (2009), continue to implement its new approach, and improve its efficiency and transparency, thus upholding the authority and effectiveness of the sanctions regime against Al-Qaida, the Taliban and other individuals.

China appreciates the efforts of the CTC to improve its working methods and to strengthen its dialogue with Member States. Over the past month, the CTC conducted an in-depth analysis of the major difficulties and challenges in the implementation of resolutions 1373 (2001) and 1624 (2005), helped Member States to enhance their counter-terrorism capacity-building, and prepared new policy guidelines on international judicial cooperation, with positive results in its work. The Counter-Terrorism Committee Executive Directorate (CTED) played an important role in assisting the CTC. China welcomes the efforts of the CTED.

Recently, the 1540 Committee has done much useful work to strengthen international cooperation, expand its outreach activities and promote assistance. We support the Committee's proposal to strengthen the interaction and cooperation of Member States and international and regional organizations in implementing resolution 1540 (2004). China hopes that those that are in a position to do so will provide developing countries with the necessary assistance to ease the difficulties that they face in implementing the resolution.

China attaches importance to the role of the 1540 Committee by participating actively and constructively in all aspects of its work. Not long ago, Ambassador Heller visited China in his capacity as Chairman of the 1540 Committee and exchanged views with the Chinese side on the implementation of the resolution and the next phase of the Committee's work, which helped to deepen China's cooperation with the Committee. China is ready to assist the relevant countries as far as possible in such areas as implementing resolution 1540 (2004).

Terrorism remains a major threat facing the international community, with terrorist attacks taking place sporadically in various parts of the world. The United Nations and the Security Council play a core role in facilitating international counter-terrorism cooperation. China supports the participation of the 1267 Committee, the CTC and the 1540 Committee in the work of the Counter-Terrorism Implementation Task Force, within their respective mandates, in order to promote the balanced implementation of all four pillars of the United Nations Global Counter-Terrorism Strategy.

At the same time, China hopes that the three Committees will pay more attention to the counter-terrorism needs of developing countries and actively assist them.

**Mrs. DiCarlo** (United States of America): Let me, too, thank the Chairmen for their briefings. Their dedicated leadership is central to the effectiveness of the Council's three counter-terrorism-related committees. I would especially like to thank the Chairmen for their recommendations, which merit serious consideration.

The importance of this work and the broader international effort to combat terrorism was underscored by the recent foiled plot involving the explosives-laden parcels flown out of Yemen that were tracked down in the United Kingdom and Dubai. That event and other attempts earlier this year are harsh reminders of the global nature of the terrorist threat. The United States remains committed to reaching out and forging international coalitions, based on mutual interests and respect, to combat terrorism and prevent the spread of weapons of mass destruction to terrorists.

Working with our partners to strengthen the ability of the United Nations to help address those threats continues to be a key priority of my Government. To achieve that goal, we must continue to maximize the effectiveness, transparency and relevance of the Council's counter-terrorism-related subsidiary bodies.

Let me thank Ambassador Apakan for an exceptional job guiding the Counter-Terrorism Committee (CTC) during his tenure as Chair. Ambassador has Apakan fostered greater efficiency in the CTC's work and worked with Counter-Terrorism Committee Executive Director Mike Smith to keep the general membership up to date on the Committee's activities through open meetings on such topics as international legal cooperation and maritime security.

As the Council begins to look at the renewal of the Counter-Terrorism Committee Executive Directorate (CTED) mandate, which the United States strongly supports, CTED should intensify its regional and thematic approach to its work. It should also continue to develop regional capacity- and network-building initiatives in the Horn of Africa, South Asia and the Sahel.

Finally, consistent with the emphasis that this Council placed on prevention issues in its September presidential statement on terrorism (S/PRST/2010/19), CTED should devote more attention to dialogue with countries on the issues addressed in resolution 1624 (2005) that relate to softer approaches to counter-terrorism. The CTC and CTED have made great strides in 2010, and we look forward to working with our partners to ensure that their efforts remain practical, focused and innovative.

Over the past 11 years, the Al-Qaida and Taliban sanctions regime has been one of the United Nations most effective counter-terrorism tools and a symbol of international consensus against the ongoing threats posed by Al-Qaida and the Taliban. The United States will continue to work through the Committee established pursuant to resolution 1267 (1999) to recommend the addition and removal of names on the sanctions list to ensure that the list keeps pace with the changing threat. We must now focus on ensuring that countries are implementing the financial, arms and travel sanctions against those on the list.

The United States welcomes the significant enhancements to the regime's listing and de-listing processes outlined in resolutions 1735 (2006), 1822 (2008) and 1904 (2009). We remain confident that the establishment of an independent Ombudsman for the regime will help ensure that the de-listing procedures are fair and transparent. We welcome Kimberly Prost's appointment as the Committee's first Ombudsperson, and we look forward to working with her.

Let me thank Ambassador Mayr-Harting and his team, as well as the Secretariat, for their tremendous efforts. They have worked steadfastly to implement these reforms, and we are truly grateful for their work. I also thank the 1267 Monitoring Team for its important role in preparing narrative summaries of the reasons for listing each entry and proposing recommendations for improving the Committee's work.

Finally, let join my colleagues in thanking Ambassador Heller for leading the Committee established pursuant to resolution 1540 (2004) this past year. The United States views the Committee's activities over the past six years as a landmark effort to gain strong political support for the broad obligations created by that resolution, the success of which is noted in resolution 1887 (2009), adopted during the 2009 Security Council summit (see S/PV.6191), the 2009 comprehensive review of resolution 1540 (2004) and the work plan for this year's Nuclear Security Summit. Resolution 1540 (2004) is not only a crucial instrument in the international counter-terrorism regime; it is also a vital piece on the international non-proliferation landscape.

The United States is pleased with the efforts of the United Nations Office for Disarmament Affairs and its recent workshops in Croatia and Viet Nam, which we co-sponsored. We are preparing to provide a financial contribution to the 1540 Committee through existing United Nations official development assistance funding mechanisms. We hope that this will help facilitate and motivate cooperation among other assistance providers.

The United States supports a lengthy, perhaps indefinite, continuation of the 1540 Committee to allow for long-term strategic implementation and resourcing. Such a mandate would include a periodic review of the Committee's mandate and work methods, as well as a sunset provision requiring the Committee to cease operations when the Security Council determines that it has met all its objectives.

We are pleased with the direction steered by the three Committees. Under the capable leadership of the three current Chairs, United Nations counter-terrorism efforts will guide and reinforce Member States' actions to deter terrorism, including the threats posed by Al-Qaida, its affiliated groups and the Taliban, as well as proliferation efforts by non-State actors.

**Mr. Issoze-Ngondet** (Gabon) (*spoke in French*): My delegation would like first of all to thank Ambassadors Mayr-Harting, Apakan and Heller for their respective briefings. We commend the remarkable role they have played in leading the work of the counter-terrorism committees. As their mandates come to an end, we pay them well-deserved tribute for their important contributions.

My country welcomes the progress made by the international community in fighting terrorism, even if the daily reality reminds us that the terrorist threat continues to weigh on our collective security. We should therefore remain active in our determination to put an end to this scourge.

Gabon fully associates itself with the efforts made by the Security Council to that end through its relevant subsidiary bodies. In that regard, my delegation reiterates its support for counter-terrorism mechanisms.

Thanks to the work of the Counter-Terrorism Committee, the Council has made available to Member States tools to more effectively combat this phenomenon. My delegation would like to say a few words about the work of those three Committees.

With regard to the Committee established pursuant to resolution 1267 (1999), we welcome the progress made since the last debate on this issue (S/PV.6310), namely, the comprehensive review of the consolidated list and the appointment of Ms. Kimberly Prost as Ombudsperson, whose role will be to review requests for the de-listing of persons and entities covered by sanctions. My delegation supports the Committee's efforts to improve its methods with regard to the listing and de-listing of incriminated entities and persons. The report of the Monitoring Team that will soon be submitted to the Council will be devoted entirely to that. We encourage the Committee to strengthen its cooperation with Member States, regional organizations and specialized counter-terrorism bodies.

With regard to the Committee established pursuant to resolution 1373 (2001), my delegation welcomes the results obtained since various aspects of its working methods were streamlined. Those improvements now make it possible for the Committee to devote more time to substantive work while continuing to focus on preliminary assessments prepared by the Counter-Terrorism Committee Executive Directorate in the context of the implementation of resolution 1373 (2001).

Similarly, we welcome the establishment of the Committee's website, which serves as a tool for training and awareness-raising of our common efforts to combat terrorism. We also support the Committee's practice of organizing regional workshops in order to take into account various challenges in the process of combating terrorism. In that regard, a regional workshop organized jointly by the Counter-Terrorism Committee Executive Directorate and the United Nations Office on Drugs and Crime was held in Libreville this past June. The workshop was an opportunity for Member States of the Central African subregion to familiarize themselves with legal provisions applicable to illegal acts against maritime security and navigation and off-shore platforms.

As Chair of Subcommittee C of the 1373 Committee, Gabon appreciates the efforts made by many Member States to implement the provisions of the resolution. In that regard, we call on Member States to strengthen their cooperation with counter-terrorism bodies.

With regard to the Committee established pursuant to resolution 1540 (2004), Gabon welcomes the work to update the matrices that will constitute the database to be included in the report that the Committee will submit to the Security Council in April 2011. The establishment of new procedures for the publication of reports and for dealing with requests for technical assistance from States is another development that should be highlighted.

Gabon, which is party to nearly all instruments governing the disarmament process, reiterates its commitment to work alongside other States to completely eliminate weapons of mass destruction, which are today a threat to international peace and security.

Lastly, my delegation would like to reiterate its appreciation for the work of the 1267, 1373 and 1540 Committees. We urge them to strengthen their cooperation in the areas of information exchange, country visits, organizing workshops, technical assistance and relations with Member States and regional organizations.

**Mrs. Viotti** (Brazil): I thank the Chairmen of the Security Council Committees related to terrorism for their briefings today and commend them for their work.

Brazil has long argued, both in the General Assembly and in the Security Council, for a coordinated and multidimensional response to the challenges posed by terrorism. Today's debate may help us to reflect on ways to move towards that goal, which we believe is shared by the broad majority of Members.

An essential element of a strategy to fight terrorism is strong cooperation among Member States and between them and international, regional and subregional organizations. We are pleased that the work of the Security Council has gradually shifted its focus from the mere imposition of legal obligations — important as they are — to greater emphasis on building the capacity of Member States. For a legal framework to be truly effective, Member States must develop the means to implement it.

The activities of the Counter-Terrorism Committee reflect this new reality. The Committee has dedicated much of its work to facilitating technical assistance to Member States and to organizing events to train Government officials. It has also strived to adopt a regional perspective and to avoid preconceived solutions in dealing with shortfalls. In doing so, it has duly recognized that countries with different levels of development require different approaches. Its Executive Directorate has had, and will continue to have, an important role to play in that regard. My delegation supports the extension of its mandate.

Similarly, as highlighted on other occasions, the Committee established pursuant to resolution 1267 (1999) has made important strides in the recent past, especially after the adoption of resolution 1904 (2009). The conclusion of the review of the consolidated list of sanctions and the establishment of the Office of the Ombudsperson are but the most relevant examples. My delegation welcomes the appointment of Ms. Kimberly Prost as the first Ombudsperson and pledges its full support to her.

However, as we are all aware, major challenges still remain, in particular with regard to due process. In this critical area of its work, the Committee must reinforce its dialogue with the wider membership. In addition, Members should do their utmost to present their reasons when denying de-listing. Lastly, the Committee should ensure that its work fully benefits from the views of the Ombudsperson. To that end, Member States must provide her with the maximum relevant information possible. Her opinions must be fully taken into account in the decision-making process.

Turning to the Committee established pursuant to resolution 1540 (2004), we welcome the progress that it has continued to make in implementing its mandate. We note in particular the importance of taking forward its cooperation with the other counter-terrorism Committees and with international organizations, consistent with the Committee's mandate.

Brazil looks forward to the submission of the Committee's report and to the renewal of its mandate early next year. In doing so, we feel that particular emphasis should be placed on those States whose capacities for implementation and reporting are limited. The Committee should mobilize its energy and resources to ensure that those States receive the support they need to implement resolution 1540 (2004).

The progress made in the recent past in the three Committees would not have been achieved without the competent work, constant leadership and dedication of their respective Chairs. I join others in commending Ambassadors Ertuğrul Apakan, Thomas Mayr-Harting and Claude Heller for the invaluable contributions they have made.

**Mr. Bonne** (France) (*spoke in French*): First of all, as other speakers have done before me, I would like to express my delegation's gratitude to the Chairs of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004) — namely, Ambassadors, Thomas Mayr-Harting, Ertuğrul Apakan and Claude Heller. I would like very much to commend them and their teams, who have demonstrated constant commitment in the course of the past two years.

My delegation associates itself with the statement to be made shortly by the representative of the delegation of the European Union on behalf of the Union. Allow me to say a few words about each of the three Committees.

With regard to the 1267 Committee, we have come to the end of a process that involved two ambitious tracks, as mentioned by the representative of Austria. Throughout that process, France has sought to improve the efficiency of the sanctions regime, both as a counter-terrorism tool and to strengthen its legitimacy by taking into account the rights of listed persons as much as possible. We must ensure that the reforms set forth in resolutions 1822 (2008) and 1904 (2009) are fully implemented so as to restore balance to the Committee's procedures in order to better take into account the fundamental rights of individuals and entities on the list. It is also essential that members of the Committee cooperate as far as possible with the Ombudsperson, an independent and autonomous body.

The new legal context leads us to reflect on a new reform of the Committee that would reflect the concerns of all members of the Security Council and make it possible to preserve the current sanctions regime. It seems to me that that would be the best way to respond to recent criticism of the 1267 sanctions regime. To condemn the regime is to draw the wrong conclusions from the current situation. We must all preserve the authority of the Security Council and defend its actions in fighting terrorism.

Current events from the Sahel to Pakistan have shown that we need more than ever an coordinated international response against the terrorist threat. We are convinced that the Committee can play an important role in the inter-Afghan reconciliation process with those who have chosen to renounce violence, cut ties with international terrorism and respect the Afghan Constitution.

Secondly, the Counter-Terrorism Committee has in recent months continued to refocus on more strategic tasks. It has highlighted specific difficulties related to various regional contexts, as well as issues of concern to all Member States, such as border control, the financing of terrorism, incitement to terrorism and judicial cooperation. France is very committed to the Committee's in-depth work with each Member State of the United Nations. For us all, that is a way to ensure that the international measures we take are as effective as possible.

This year, Ambassador Apakan has organized several meetings open to all Member States on specific subjects, which made it possible to share the results of the Committee's work as widely as possible. We would like the Committee to continue this information-sharing work and develop, together with the Counter-Terrorism Implementation Task Force, a guide of good practices in the most sensitive areas that would be accessible for all.

Whatever the commitment of the Chair of the Committee, it is as effective as it is because it can rely on the Counter-Terrorism Committee Executive Directorate (CTED). In just a few years, the CTED has become a key body of the United Nations for countering terrorism, and many States have benefited from technical assistance thanks to its assistance. Of course, we shall support the renewal of its mandate in several weeks.

Finally, I turn to the Committee established pursuant to resolution 1540 (2004). Terrorism and weapons of mass destruction continue to be a major threat to our security. Resolution 1540 (2004) provided the Council's concrete and appropriate response to that threat, which, of course, does not exclude actions by other bodies. Together with Germany, France presented in the First Committee this year a draft resolution on preventing the acquisition by terrorists of radioactive sources (A/C.1/65/L.46), which was adopted by consensus. I would also like to recall the holding in April of the Nuclear Security Summit in Washington, D.C., which gave political impetus at the highest level to efforts to counter nuclear terrorism. We welcome the new summit is to be held in 2012 in Seoul.

Resolution 1540 (2004) is now well established in the United Nations landscape, but we must pursue our efforts to implement it effectively. The 1540 Committee remains a crucial tool in this effort, and we hope that its mandate will be renewed after 25 April 2011. We must also increase the visibility and effectiveness of the Committee. The Mexican chairmanship and the Group of Exerts have spared no effort to that end, and we thank them for that.

One area where particular progress could be made is assistance. As the Council knows, my delegation coordinates the working group on this subject. Some progress has already been made, and we now have an effective follow-up mechanism for offers of and requests for assistance. We have just adopted procedures to rationalize, improve and accelerate our response to these requests. Other areas in which we are working include developing specific visits to some countries, but we need the help of States for the Committee to play its role as an effective mediator. Here, I would appeal to all of those who offer or receive assistance in implementing resolution 1540 (2004) to so inform the Committee.

For its part, France will make the most of its presidency of the Group of Eight to encourage continued reflection on supporting the implementation of resolution 1540 (2004), in particular with respect to offers of assistance.

The Counter-Terrorism Implementation Task Force (CTITF) continues its work in coordinating with different actors, including the three Committees that we are discussing today. We welcome the appointment of its Chairman as the Director of the CTITF Office.

The strengthening of the Office will allow it to better enhance its actions to implement all the pillars of the Global Counter-Terrorism Strategy. The review of the Strategy, which has been under way since September, has been an opportunity to welcome the effectiveness of the Task Force. Once again, I welcome that work today.

**Mr. Rugunda** (Uganda): I thank the three Chairpersons of the Security Council Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), Ambassadors Thomas Mayr-Harting, Ertuğrul Apakan and Claude Heller, respectively, for their comprehensive briefings.

Terrorism is a global threat that requires collective and resolute action by all countries. Uganda reiterates its condemnation of all acts of terrorism and reaffirms that such acts are criminal and unjustifiable, regardless of their motivation and of who commits them. In this regard, we support the work of the three Committees and commend them for developing common strategies to advance the global fight against terrorism.

The briefings of the Committee Chairpersons have highlighted the progress made in the implementation of Security Council resolutions in the fight against terrorism and the challenges encountered in the course of their work. Given the increased level of sophistication of global terrorist networks, our collective efforts should continue to focus on denying terrorists any safe havens, closing sources of terrorist financing and reducing State vulnerability, while at the same time enhancing the preparedness and response capacities of States.

Uganda commends the cooperation and coordination among the three Committees and expert groups, which have had a positive impact on the fight against terrorism. We also welcome the increased outreach activities and sharing of information by the three Committees with the stakeholders. We thank those countries, organizations and financial institutions that have provided and continue to provide financial and technical support for the implementation of the respective resolutions.

We commend the closer cooperation between the United Nations and regional and subregional organizations and countries as an effective way of fighting terrorism. At the continental level, the African Union summit held in Kampala in July called for enhanced cooperation to boost the continent's collective action against terrorism.

Finally, Uganda shares the conclusions of the Chairpersons that coordination and cooperation among Member States, the United Nations and regional and subregional organizations provide an essential way to counter the threat of terrorism. The work of the three Committees is vital within the United Nations framework and the wider efforts of the international community. They can continue to count on Uganda's unequivocal and full support.

**The President**: I shall now make a brief statement in my national capacity.

I would like to thank Ambassador Heller for his work leading the Committee established pursuant to resolution 1540 (2004) this past year. Under his leadership, the Committee has played a more prominent role in global multilateral counter-proliferation and counter-terrorism efforts. The mechanisms for coordinating technical assistance requests have also been significantly improved.

Looking ahead, a further Committee mandate should recognize that the preliminary reporting exercise is now almost complete. With just a handful of non-reporting States left, the Committee would benefit from taking a more analytical approach and addressing the complex issues in implementing resolution 1540 (2004) that these reports and dialogues between the Committee and States have revealed. The Committee and its experts should develop their role as coordinators of relevant technical assistance, matching donors with recipients. The Committee should concentrate on assistance gaps and on establishing where it can add value to other efforts in counter-proliferation and counter-terrorism fields. For example, the comprehensive review of the status of the implementation of resolution 1540 (2004) showed that bio-security was among the weaker areas of implementation.

Turning to the Counter-Terrorism Committee, I am grateful to Ambassador Apakan for his final briefing as Chair. I pay tribute to his work to improve the Committee's effectiveness, particularly its outreach and transparency through regular open thematic briefings and through the regional workshops conducted by the Counter-Terrorism Committee Executive Directorate (CTED). Looking ahead to the next CTED mandate, the Directorate should build on

its success and continue to adapt to the evolving threat of terrorism. In particular, we would like to see more focus on the drivers of radicalization and on how States can better counter violent extremism.

The Al-Qaida and Taliban sanctions regime is, and will continue to be, a vital counter-terrorism tool that enables the international community to disrupt terrorist activity on a much greater scale than through domestic measures alone. That is why we need to continue to work to ensure that the regime remains credible as a tool to maintain and restore international peace and security.

Turning to the Committee established pursuant to resolution 1267 (1999), I would like to thank Ambassador Mayr-Harting for chairing the Committee over the past two years. His leadership has been instrumental in driving the regime forward in a positive direction. The Committee has worked hard this year in implementing the advances to the regime introduced by resolution 1904 (2009), not least in conducting a successful review of those sanctioned and working with the newly appointed Ombudsperson. But the hard work is not over. The regime must continue to evolve to address the challenges it faces. The United Kingdom remains committed to this process and looks forward to contributing to further reform efforts over the coming year.

I now resume my functions as President of the Council.

I give the floor to the representative of Spain. I remind all speakers to restrict their remarks to less than five minutes.

**Mr. Oyarzun** (Spain) (*spoke in Spanish*): I am grateful for the opportunity given to my delegation to participate in this open debate on the activities of the three Security Council Committees focused on the fight against terrorism. In that regard, I would like fully to endorse the statement to be made by the representative of the European Union delegation.

Spain believes that the Security Council has made great efforts since the 1990s to build a counter-terrorism system that, as a whole, is satisfactory and should be supported and improved as necessary in a duly constructive spirit by all States. This work of the Security Council should be complementary to the counter-terrorism efforts developed by the General Assembly, which should be the preferred forum for articulating the overall response of the international community to global problems of our day. Spain is firmly committed to active multilateralism in the fight against terrorism and believes that the implementation of the United Nations Global Counter-Terrorism Strategy, adopted by consensus by the General Assembly in 2006, is a valuable tool against the global threat posed by terrorism.

Respect for the rule of law and human rights is basic in the fight against terrorism. Spain will therefore always support reforms of the system that allow that fight to be conducted in a more fair, rational and transparent way, with full respect for human rights. The guarantees provided for in resolution 1904 (2009) concerning the listing procedures of the Committee established pursuant to resolution 1267 (1999) constitute a concrete example of the constructive spirit of improvement I mentioned earlier.

Spain also contributes actively to promoting the Alliance of Civilizations, an initiative of the Secretary-General that seeks in a practical way to promote understanding and cooperative relations among States and peoples of all cultures, so as to address all kinds of extremism and fanaticism that could lead to violence.

In that regard, I would like to refer to the informational meeting of the Security Council held on 26 May, which was devoted to intercultural dialogue for peace and security and convened by the presidency of Lebanon (see S/PV.6322). I would also like to refer to the victims of terrorism. In that connection, Spain believes that we must respond by highlighting their status, visibility and testimony. We therefore hope that the Security Council will encourage the necessary follow-through to the intention expressed in resolution 1566 (2004), on assistance to victims of terrorism, through a support fund or a practical assistance mechanism, which is also called for in the Global Counter-Terrorism Strategy.

I would like to thank the Chairs of the 1267 Committee, the Committee established pursuant to resolution 1373 (2001) and the Committee established pursuant to resolution 1540 (2004) for the information provided today and for the work that they have been carrying out together with their expert groups to fulfil the mandates assigned to them. In that regard, we appreciate their intention to strengthen cooperation among themselves and to organize joint initiatives and

visits to States so that States may better understand their degree of compliance with their obligations.

Resolutions 1267 (1999), 1373 (2001) and 1540 (2004) constitute concrete actions by the Council in defence of international peace and security against the threat posed by international terrorism. Spain would like, first of all, to highlight the work of the Committee established pursuant to resolution 1267 (1999), concerning Al-Qaida, the Taliban and associated individuals and entities. Specifically, we would like to point to the recent review of the consolidated list within the deadline, 30 July, which will help to monitor compliance with the sanctions regime imposed by the Security Council. Resolution 1904 (2009) introduced improvements in the procedures of the individual sanctions established by resolution 1267 (1999) and increased due process guarantees so as to set fair and clear procedures regarding the matter of listing and de-listing.

Spain would also like to highlight the work done by the Counter-Terrorism Committee and its Executive Directorate to ensure compliance with resolutions 1373 (2001) and 1624 (2005) and to facilitate technical assistance to countries that request it.

Today, new threats to international peace and security are linked to the proliferation and trafficking of weapons of mass destruction in the hands of non-State actors or States outside or in violation of international law. Therefore, Spain would like to express its support for the work performed by the Committee established pursuant to resolution 1540 (2004) and for its efforts to design mechanisms for monitoring the implementation of that resolution, and for the work to extend its universal application.

Terrorism constitutes a grave threat to international peace and security, has devastating effects on innocent people in all regions of the world and aims to undermine supreme values extolled in the United Nations Charter. It is time that Member States above all, under the aegis of the Organization, show strong political will to confront this barbarism and that we use all means that the United Nations Charter provides us.

**Mr. Loulichki** (Morocco) (*spoke in Arabic*): At the outset, I would like to express our deep appreciation to you, Mr. President, for holding this open debate. We would also like to thank the three Chairmen of the Security Council Committees for their detailed briefings. Those Committees form the cornerstone of counter-terrorism at the global level. We would also like to commend the continuous progress in cooperation and constructive dialogue between the groups of experts and those Committees, enhancing the effectiveness of their mandates and the influence of their activities in the field.

With regard to the work of the Counter-Terrorism Committee (CTC), we support its adoption of a transparent, strategic approach to its work, concentrating on raising awareness of the importance of that work within the United Nations and contributing to the rationalization of its working methods. We also support the Committee in enumerating the major challenges facing the Member States in fully implementing resolution 1373 (2001) included in the report of the Executive Directorate, particularly with regard to the urgent and necessary human and financial resources and the basic infrastructure for national capacity-building.

We believe that taking a regional and subregional approach to facilitate the provision of technical assistance to Member States, upon their requests, would enhance rational management of available resources and increase the opportunity for coordination and exchange of expertise in combating terrorism among neighbouring countries.

At the national level, Morocco has continued its intensified efforts to implement resolution 1373 (2001), particularly the practical parts regarding measures to counter money laundering. We established a special unit on financial transactions in 2009 that receives and deals with the reports submitted to it by banking institutions on suspicious financial transactions. It has begun to respond to those requests with a view to joining the Egmont Group of Financial Intelligence Units in 2011.

Furthermore, all the relevant aspects of implementing resolution 1624 (2005) are in complete accordance with all the efforts by the Kingdom of Morocco in adopting a comprehensive approach to counter-terrorism that focuses on and deals with the factors that contribute to the spread of extremist ideologies and ideas.

With regard to the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, we welcome the efforts by that Committee in reviewing the Consolidated List to make

it more accurate, credible and effective. Although we note the progress made in order to implement the provisions of paragraph 25 of resolution 1267 (1999), we believe further efforts are required to enhance transparency and contacts with concerned States. We believe that the Consolidated List on which the sanctions regime depends must remain accurate and flexible in order to cope with changing developments on the ground.

In that regard, we would like to express our deep concern over the spread of terrorist activities in the Sahara and coastal areas and the intensification of trafficking activities in drugs, humans and small arms, which finances terrorist activities that affect the region and beyond and represent a grave danger to the entire area. At the national level, we have continued our tireless efforts to adapt our legislation to our international commitments, particularly in monitoring dual-use export material and in accordance with the free trade agreement that we concluded in recent years. We will continue to be an active and serious partner with the international community by making every possible effort to establish constructive and effective international cooperation in order to eradicate terrorism.

**The President**: I now give the floor to the representative of Cuba.

**Mr. Núñez Mosquera** (Cuba) (*spoke in Spanish*): Allow me to congratulate you, Mr. President, on the way in which you have been steering the work of the Security Council this month.

I will speak for less than four minutes. I thank the Chairmen of the Committees for the information provided, which informs us about the work they are carrying out. Cuba values and follows up on the work of those Committees and strictly complies with the obligations under Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004). I wish to reiterate Cuba's strongest rejection of all terrorist acts, methods and practices in all their forms and manifestations, by whomever or against whomever and wherever they are committed. All terrorist acts, whatever their motivations, must be condemned.

My country has systematically submitted various comprehensive reports on measures it has taken on this issue. Border control is a major aspect of Cuba's work in combating terrorism. Our control is efficient, based on the experience gained in more than 50 years fighting terrorism. That has allowed us to thwart many acts of this nature.

The position of my country on weapons of mass destruction is also clear. Cuba does not possess, nor has it the intention of possessing, weapons of that kind. They have never been part of our national defence strategy. In addition, my country has ratified or acceded to 13 international conventions on terrorism.

Cuba attaches great importance to the adoption of the United Nations Global Counter-Terrorism Strategy. My country has enacted a wide range of legislative measures, even long before the adoption of the Strategy, with the goal of preventing and suppressing all terrorist acts and activities and those directly or indirectly associated with them. My country has an impeccable record in confronting terrorism, to which it has historically fallen victim. I wish to reiterate Cuba's unswerving determination to never allow its national territory to be used to organize, incite, support or carry out terrorist acts.

Cuba categorically rejects the unilateral preparation by the Government of the United States of America of a list of States that supposedly sponsor terrorism, and the inclusion of Cuba on that list. That is a spurious and politically motivated exercise, contrary to international law and the Charter of the United Nations.

No Government can claim the right to classify the behaviour of other nations in terms of terrorism. Much less can that be done by a Government that adopts a double standard, as it does not prosecute the confessed perpetrators of horrible terrorist acts against Cuba and other countries of this hemisphere, as in the cases of Luis Posada Carriles and Orlando Bosch. It allows them to remain free and to participate in political activities. At the same time it arbitrarily and unjustly keeps in prison five Cuban citizens, who, risking their lives, were fighting against the activities of terrorist groups that operate with impunity against Cuba in the United States territory.

Just a month ago, several terrorists with a long record of actions against Cuba were honoured at the Institute for Cuban and Cuban-American Studies of the University of Miami, in the presence of American members of Congress. That Institute is heavily subsidized by the United States Government. Only eight months ago, Posada Carriles was the guest of honour of the annual conference of the terrorist

organization, Alpha 66. Recent revelations by another confessed terrorist, Francisco Chávez Abarca, confirm details of Posada Carriles' responsibility for acts of terrorism against Cuba. It is not in Cuba but in the United States where a terrorist mafia acts with impunity, having organized, financed and carried out hundreds of terrorist acts against the Cuban nation. Cuba has a completely clean record concerning terrorism. The United States Department of State, which issued that report, cannot say the same.

On several occasions Cuba has cooperated with the United States Government and has recently reiterated its willingness to continue doing so.

We reiterate our willingness to deliver a more detailed presentation on these questions before the Counter-Terrorism Committee, or to submit to it any additional information or clarification considered necessary.

As it has always done, Cuba will continue to strictly comply with the stipulations of Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004) and will cooperate with the subsidiary bodies established pursuant to them.

Before concluding, I wish to reiterate the willingness of my country to cooperate with any State, including the United States, in preventing and confronting international terrorism on the basis of mutual respect, the sovereign equality of States and the principles and rules of international law, including the Charter of the United Nations.

**The President**: I now give the floor to the representative of Norway.

**Mrs. Smith** (Norway): I have the honour to speak on behalf of the informal group of like-minded States comprising Belgium, Costa Rica, Denmark, Germany, Finland, Liechtenstein, the Netherlands, Sweden, Switzerland and my own country, Norway.

The members of the European Union (EU) in this group also align themselves with the statement to be delivered by the delegation of the European Union.

We thank the respective Chairpersons for their briefings today. The Council and the 1267 Committee have taken significant steps to further strengthen the due-process elements in the work of the Committee. It is against that backdrop that the informal group of like-minded States makes this intervention today.

In doing so, I should underline that the group supports and fully recognizes the application of targeted sanctions as a useful and necessary tool to effectively combat international terrorism. Our position has been guided by the goal of strengthening the regime established by resolution 1267 (1999) in order to make that regime more credible and thus more effective.

First of all, we commend the 1267 Committee, under the leadership of Ambassador Thomas Mayr-Harting of Austria, for having completed the review of all the persons and entities on the Committee's Consolidated List on 30 July this year. The review is an important achievement, as the removal of 45 entries, including 9 deceased persons, strengthens the credibility of the system. Many Member States have made important contributions to the Committee's review. We should also like to recognize the efforts and hard work of the Secretariat and the Monitoring Team in that process. We are also pleased to note that the number of narrative summaries posted on the Committee's website continues to grow.

In the view of the like-minded States, the adoption of resolution 1904 (2009) is a major step forward in strengthening due-process guarantees, in particular for persons or entities that wish to be removed from the Consolidated List. The creation of the position of an Ombudsperson to assist the Committee when it considers requests for de-listing is of course the main feature introduced by resolution 1904 (2009).

We commend the Secretary-General for the appointment in June this year of Judge Kimberly Prost to serve as Ombudsperson. Judge Prost has a wealth of experience in a number of legal disciplines as well as in the counter-terrorism field. We are confident that she will execute her important mandate to the full satisfaction of all involved parties, and we pledge full support to and cooperation with Judge Prost and her office.

The Ombudsperson receives and considers requests for removal of entries from the Consolidated List. To that end, she engages with individuals, entities and States in order to obtain a clear picture of why a given person or entity has been listed by the Committee, and also in order to assess the current justification for the listing.

The Ombudsperson cannot function effectively without the full cooperation of Member States. We therefore call on all United Nations Member States, not only the members of the Security Council, to respond promptly and adequately to the Ombudsperson's requests for information and assistance. It is of paramount importance that the Ombudsperson has access to all relevant information, including confidential and classified documents, regarding the listing.

We have taken due note of the Ombudsperson's initial priorities of safeguarding the independence of her office and of raising general awareness of the role of the Ombudsperson. All Governments should assist the Ombudsperson in making the office's mandate widely known by, for example, bringing the existence of the Ombudsperson's website to the attention of relevant non-governmental organizations and to national bar associations. States should also be encouraged to include information in their periodic reports to the 1267 Committee on what steps they have taken to generate publicity about the mandate of the Ombudsperson.

Furthermore, all States should receive the necessary general information about the work of the Ombudsperson. Such information will contribute to a deeper appreciation of the role and needs of the Ombudsperson and of any possible challenges in the exercise of her mandate. More knowledge on the part of Member States in that area could in turn strengthen the cooperation with the Ombudsperson. We therefore look forward to the biannual reports of the Ombudsperson.

The informal group of like-minded States would also encourage the Ombudsperson to consider giving regular interactive briefings on her role and activities, as has become the practice for other key United Nations entities in the field of counter-terrorism, such as the Counter-Terrorism Committee Executive Directorate.

The Ombudsperson cannot -and is not intended to — function in a vacuum. She will need to engage with States and petitioners when performing the key functions of her mandate. That activity may require resources for travelling. Furthermore, the Ombudsperson might benefit in her work from participating in relevant seminars or obtaining country-specific information. We therefore call on the Council to provide the necessary resources and thereby consolidate the independence of the mandate of the Ombudsperson.

One of the major improvements that came with resolution 1904 (2009) is that the Committee will meet to discuss the report that the Ombudsperson submits to it after she has considered a request for de-listing. We assume that in such cases, where the Ombudsperson has been involved and has thus given the request for de-listing a thorough assessment, there will be less need for putting requests on hold. The current practice of placing de-listing requests on hold is sometimes justified by a need for additional information before a final decision can be made. That justification might be less compelling in a situation where the Ombudsperson has provided the Committee with all relevant information.

The informal group welcomes all the progress made so far, and we will continue to closely follow the functioning of the mandate of the Ombudsperson. We support any measures that are suitable to maximize the effectiveness of that mandate.

At the same time, we will continue to consider further steps towards strengthening the due-process rights of those listed. In our view, we should continue to reflect on how the current system could be enhanced, including in terms of guaranteeing its effectiveness and credibility, without calling into question the very important progress that has been achieved so far.

I would like to once again encourage the Council to continue its open and inclusive dialogue with interested States on issues pertaining to sanctions. I would, in this regard, reassure you that the informal group of like-minded States stands ready to engage in such a dialogue and offer our views and perspective on the way forward on those important issues.

**The President**: I now give the floor to the representative of India.

**Mr. Puri** (India): Allow me at the outset to congratulate you, Mr. President, on your assumption of the presidency of the Security Council.

I would also like at the outset to place on record our deep appreciation for the excellent work of the three distinguished Chairs of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), as well as for their briefings

and the sharing of their experiences while carrying out the work of those Committees.

Terrorism is the most abhorrent and heinous crime against humanity as a whole. It continues to be a pervasive and insidious threat not only to global security, but also to the core values of the United Nations. It is our firm conviction that no belief, justification, political cause or argument can be used to justify acts of terrorism. We condemn terrorism in all its forms and manifestations, irrespective of its motivations, as criminal and unjustifiable.

There are deep concerns about the potential nexus between clandestine proliferation and terrorism and the ever-present danger of such weapons or vulnerable nuclear materials falling into the hands of non-State actors. As a victim of terrorism and the worst sufferer for the last many decades, India fully supports all efforts for greater and more meaningful international cooperation to counter and combat the scourge of terrorism.

We support the anti-terrorism mechanisms established by the United Nations, including Security Council resolution 1267 (1999) related to sanctions against Al-Qaida and the Taliban; resolution 1373 (2001), which led to establishment of the Counter-Terrorism Committee; and resolution 1540 (2004), which addressed the issue of non-proliferation of weapons of mass destruction.

We support measures to strengthen the review process of the listings on the Consolidated List through the Office of the Ombudsperson, pursuant to resolution 1904 (2009). At the same time, we are concerned that the process of listing and de-listing in the Consolidated List continues to be subject to political will and pressure — a scenario we can ill afford in our united fight against terrorism.

We fully support the efforts of the Counter-Terrorism Committee and the Counter-Terrorism Committee Executive Directorate (CTED) to play a more effective role in countering terrorism. As the CTED mandate comes up for renewal next month, the endeavour should be to enhance coherence and synergy among the various counter-terrorism structures that are dealing with the issue of terrorism within the United Nations. We appreciate the Counter-Terrorism Committee's efforts to organize thematic briefings, streamline its working methods and give more focus to substantive and analytic work.

We have also taken note of the recommendations made in the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (A/HRC/10/3 and Add.1). It requires careful examination and further consideration.

We support efforts of the 1540 Committee to handle assistance requests by countries and to find means to address the most commonly found gaps in implementing resolution 1540 (2004). However, it is important that those activities are performed at the request of Member States while keeping in mind their varying national capacities, procedures and systems.

We look forward to greater efforts to bring together interrelated aspects of the operational mechanisms of the 1267 Committee, the 1540 Committee and the Counter-Terrorism Committee. In that context, the institutionalization of the Counter-Terrorism Implementation Task Force (CTITF) in 2009 was a positive step to strengthen United Nations efforts to counter terrorism by providing an umbrella under which different United Nations entities can effectively work in a coordinated and coherent manner.

India has an abiding interest in expeditiously concluding the long-pending comprehensive convention on international terrorism. An early adoption of the convention is in the interests of all Member States and would provide impetus to multilateral and collective action to counter international terrorism. In his latest report on the Global Counter-Terrorism Strategy (A/64/818), the Secretary-General has rightly pointed out, in paragraph 139, that the comprehensiveness of implementing the Strategy will not be complete without the conclusion of a comprehensive convention on international terrorism.

It is important to bear in mind that successful implementation of counter-terrorism measures requires not only the fullest collective effort of the entire membership, but also their fullest participation in processes that affect the collective security of all nations equally.

We will be privileged to serve on the Security Council from January 2011 onwards, and we intend to work very closely with the counter-terrorism mechanisms. It will be our endeavour to strengthen ongoing efforts to promote open dialogue and interactive discussions in order to ensure wider participation of the membership.

**The President**: I give the floor to the representative of Sri Lanka.

**Mr. Kohona** (Sri Lanka): At the outset, may I offer my congratulations to you, Sir, on your assumption of the presidency of the Council and for initiating this timely discussion. I thank the Permanent Representatives of Austria, Mexico and Turkey for their briefings on the implementation of the three crucial Council resolutions on terrorism, so central to maintaining international peace and security.

Much had been said within the United Nations, in particular in the Council, on countering terrorism. Yet the world continues to be rocked regularly by senseless acts of terror or attempts to unleash death and destruction in our midst. The scourge of terrorism poses a suffocating threat to our common values of decency and humanity and to our democratic way of life.

Constant fear — induced by terrorism, insecurity, anxiety and the never-ending tragic losses both human and material — and economic stagnation were a common experience of life in Sri Lanka for nearly three decades. Fortunately, that vile menace was completely eradicated from our soil last year, after repeated efforts to talk to the perpetrators and get them back into the democratic fold had been rebuffed. For our part, we will take every measure to ensure that our lives will never again be allowed to be tortured by warped minds wantonly sowing death and destruction.

The agony imposed by terrorism does not respect boundaries. It is a menace that has affected countries across the globe — their attitudes, their economies and their daily lives. Hence, our response to terrorism cannot and should not be viewed or judged by looking through different prisms. The United Nations, and this Council in particular, should act with a common purpose to assist every sovereign State and to respect its right to free its territory from the abomination of terrorism and protect its people's right to life, peace, security and democracy.

The presentations we have just heard from the three Committee Chairs were comprehensive. We recognize the efforts of the Committees to assist with capacity-building and knowledge-sharing and to bridge gaps in implementing counter-terrorism measures.

We see enormous benefits in all Member States closing ranks in order to implement the Security Council resolutions on countering terrorism. In that context, we emphasize the need to prevent the use of their territories as safe havens by terrorist groups and front organizations, including for raising funds, acquiring financial assets and economic resources and other related activities that fuel and sustain terrorism and pose threats to peace and security elsewhere.

The continuing danger posed by seemingly innocent front organizations exploiting the democratic freedoms of our societies to perpetuate this evil must be stopped. Enhanced cooperation among intelligence and defence establishments across borders, active intelligence-sharing and constant vigilance are vital in our efforts to counter terrorism. Sri Lanka is grateful to our network of friends with whom we have effectively developed intelligence links. The value of intelligence-sharing was lucidly illustrated in recent days when multiple tragedies were avoided due to the vigilance of intelligence agencies and their willingness to share information.

Similarly, such cooperation is vital to prevent the acquisition of arms and other destructive material by groups bent on sowing death and destruction. Cross-border cooperation in thwarting the ever present link between international terrorism and transnational organized crime becomes critical. Terrorism's tentacles have spread to such areas as the illicit trade in arms, the multibillion-dollar narcotics trade, money-laundering and trafficking in persons — a phenomenon that my own country is now confronting.

Collective action has become all the more vital due to the ease with which terrorists establish cross-border linkages and exploit advances in technology and communications that can lead to formidable and destructive innovations. In parallel, it is also necessary to address underlying social, economic and political factors that may contribute to breeding terrorism.

Against that background, it becomes incumbent on all countries to re-examine their policies on granting asylum and refugee status, especially to prevent the abuse of well-intentioned, generous and humane policies by terrorists, front organizations or facilitators of terror. It would also be imperative to streamline and enhance domestic law enforcement and security mechanisms to close any loopholes.

Cooperation across borders also becomes an absolute necessity if this hydra is to be placed back in its box. Arrangements for mutual legal assistance and

the extradition of terrorists — a requirement under a number of conventions concluded under the auspices of the United Nations — and helping countries to develop national capacity in the areas of investigation, prosecution, intelligence gathering, border protection, customs and immigration surveillance and forensic science are vital tools that can add to global efforts in countering terrorism.

In this regard, we thank the Counter-Terrorism Committee Executive Directorate and the Governments of Canada and Australia for facilitating the second workshop in South Asia, which was hosted by Sri Lanka in August 2010, for police and prosecutors on the subject of effectively countering terrorism.

Collective regional efforts could significantly boost efforts in deterring terrorist activity. It was in that spirit of cooperation and understanding that the members of the South Asian region adopted the South Asian Association for Regional Cooperation (SAARC) Convention on Mutual Legal Assistance in Criminal Matters and the ministerial declaration on cooperation in combating terrorism, during the fifteenth SARRC meeting, held in Colombo in 2009, for which Sri Lanka provided firm leadership.

Sri Lanka earnestly hopes that all the Members of the United Nations will demonstrate the necessary political will by concluding negotiations on the comprehensive convention on international terrorism, which has unfortunately been on the table for almost a decade. It is time to send an unequivocal message of our commitment to eradicate the menace of terrorism by taking the appropriate political decisions now.

My country remains committed to cooperating with the Committees established pursuant to resolutions 1540 (2004), 1267 (1999) and 1373 (2001) — as well as with other related intergovernmental bodies working on countering terrorism such as the United Nations Office on Drugs and Crime, INTERPOL, the International Civil Aviation Organization and the International Maritime Organization — both at the international and regional levels, as well as to sharing its experience and expertise in that regard.

**The President**: I now give the floor to Mr. Pedro Serrano, acting head of the delegation of the European Union to the United Nations.

**Mr. Serrano** (European Union): Mr. President, many thanks for giving the floor to the European Union. The candidate countries of Turkey, Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilisation and Association Process and potential candidates of Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as the Republic of Moldova, align themselves with this declaration. I will read an abridged version of my statement.

I wish to thank the Chairs of the Committees established under resolutions 1267 (1999), 1373 (2001) and 1540 (2004) for their reports. We note that, since the most recent debate on this topic in May 2010 (see S/PV.6310), a number of relevant developments have occurred, which demonstrates the usefulness of having these regular briefings.

The European Union highly commends the efforts of the Committee established pursuant to resolution 1267 (1999), under the chairmanship of Ambassador Mayr-Harting, and its Monitoring Team to strengthen due process in the Committee's work.

The adoption of resolution 1904 (2009), at the end of last year, was a significant step forward in the continued efforts of the Security Council to ensure that fair and clear procedures exist for listing and de-listing decisions. We believe that ensuring procedural guarantees for the individuals and entities designated by the Al-Qaida and Taliban Sanctions Committee will strengthen the effectiveness of the sanctions and contribute to their credibility.

In that regard, we welcome the creation of the Office of the Ombudsperson and the appointment of Judge Kimberly Prost as Ombudsperson. We wish her every success in the fulfilment of her challenging mandate and offer her the full support of the European Union (EU). The full cooperation with, and the provision of all relevant information to, the Ombudsperson and the consideration of her observations are essential.

The EU remains committed to ensuring the implementation of the decisions adopted by the Committee in its own legal order. The most recent judgement of the EU General Court in the Kadi case indicates that legal challenges remain ahead. However, we are confident that those challenges can be overcome. They should not be considered as putting in question the EU commitment to upholding the principles of the United Nations Charter and the collective obligations of its member States under it. In

that regard, a continued dialogue between EU institutions and the Security Council remains essential to address these common issues in order to find common solutions.

We welcome the completion by the Committee of the comprehensive review of the consolidated list at the end of July, thereby fulfilling an important mandate under resolutions 1822 (2008) and 1904 (2009). The implementation of the new provisions of resolution 1904 (2009) should further enhance the quality and credibility of the sanctions regime.

The European Union would also like to commend the Counter-Terrorism Committee (CTC), under the able leadership of Ambassador Apakan of Turkey, as well as the Counter-Terrorism Committee Executive Directorate (CTED) for their ongoing work, and in particular the emphasis on capacity-building and the facilitation of technical assistance to countries requesting it, bearing in mind the respective mandates and roles of the CTC and CTED. We recall in this context the continuing support of the EU for capacity-building projects in close cooperation with CTED.

We also appreciate the recent activities of the Committee and CTED to address specific counter-terrorism issues through thematic debates and briefings, as well as the many regional workshops. We look forward with interest to the upcoming mandate renewal. In this context, we continue to encourage deeper integration of human rights in the work of the CTC and CTED with Member States, as well as closer cooperation with the Counter-Terrorism Implementation Task Force and its entities.

The European Union fully supports the work of the Committee established pursuant to resolution 1540 (2004), and we warmly thank Ambassador Heller of Mexico for conducting the Committee's efforts. The EU strategy against the proliferation of weapons of mass destruction of 2003 and the EU new lines for action adopted in 2008 provide the framework for concrete EU action in that regard.

The European Union has been active in ensuring the full implementation of resolution 1540 (2004), both internally, inter alia through regular updates of its regulation on export controls on dual-use goods, and externally, by promoting the full implementation of resolution 1540 (2004) in third countries and supporting a number of projects and regional workshops.

In closing, I would like to commend once again the crucial and complex work of these three specialized Security Council Committees to prevent and combat terrorism. More generally, we wish to underline the importance of good cooperation between the Committees and all relevant United Nations actors in this field.

The European Union would like to underline once again that any measures that we undertake to prevent and combat terrorism must comply with our obligations under international law, in particular human rights law, refugee law and international humanitarian law.

The European Union would like to join others in thanking the members, experts and Chairmen of the three Committees for their important work. I would like to assure them of the full commitment of the EU to support the Committees' work.

**The President**: I thank Mr. Serrano for keeping strictly to the time limit. I now give the floor to the representative of Pakistan.

**Mr. Sial** (Pakistan): I would like to congratulate you, Mr. President, and the delegation of the United Kingdom for the excellent work of the Security Council done under your leadership this month. I would like to congratulate the Permanent Representative of Uganda and his team for a successful presidency of the Council during the month of October.

I would like to thank the Chairpersons of the Al-Qaida and Taliban Sanctions Committee, the Counter-Terrorism Committee and the Security Council Committee established pursuant to resolution 1540 (2004) for their briefings today. We support the efforts of all three Committees in promoting greater transparency and dialogue with Member States concerning their respective areas of activity.

Pakistan strongly condemns terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes. Terrorism and extremism should not be associated with any religion, race, ethnicity, faith, value system, culture or society. No religious tradition or doctrine could be depicted as encouraging or inspiring acts of terrorism.

The international community needs to promote economic and social development as the means to arrest and eliminate extremism and terrorism. Socio-economic marginalization is one of the conditions conducive to the spread of terrorism. The promotion of socio-economic

development in regions where extremism exists should be a high priority for the international community.

I would like to underline that the important thing is that countries should take action against terrorism and should be provided with the resources and ability to do so. We should follow procedures but must not get caught up in procedures, processes and reporting requirements, which should be secondary to the actual action on the ground undertaken by States. Pakistan has deployed 160,000 troops on its border with Afghanistan and has set up 822 border posts to intercept Al-Qaida and Taliban members. As a result of terrorist acts and our efforts to root out terrorism, the death total for Pakistan's law-enforcement personnel stands at 2,549, with 7,185 civilian casualties, while 6,790 law-enforcement personnel and 15,502 civilians have been injured.

We have noted the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, contained in document A/65/258. Mr. Martin Scheinin has raised many fundamental questions on the role of Security Council Committees in the area of counter-terrorism, which we have carefully noted.

Pakistan has made considerable progress since the last report of the Counter-Terrorism Committee Executive Directorate (CTED) on countering the financing of terrorism. Pakistan has become a party to the United Nations Convention for the Suppression of the Financing of Terrorism and has enacted a landmark anti-money-laundering bill. A financial monitoring unit has been established in the State Bank of Pakistan to monitor suspicious financial transactions. Recently, 64 additional bank accounts and 750.8 million Pakistan rupees have been frozen. CTED also organized a workshop for Pakistani parliamentarians in Islamabad in November 2009. Such workshops and visits are helpful in human resource development.

A large number of Pakistan's security personnel have sacrificed their lives in counter-terrorism operations. We need to enhance their capacity too. We need counter-terrorist equipment, including safety vests for police officers, night-vision equipment, wireless interceptors and monitors. So far, the narrative of capacity-building has not included the most obvious requirements of States in concrete situations of counter-terrorist operations. We trust that the Counter-Terrorism Committee and CTED, under its capable leadership, will soon be able to deliver in this area.

The Al-Qaida and Taliban Sanctions Committee and its Monitoring Team have a difficult task to perform. We have noted the efforts of the 1267 Sanctions Committee to bring clarity to its working methods, and that the Committee has made an effort to improve its guidelines. We appreciate the improvements in information-gathering and the flow of information between various actors, as well as the introduction of a timetable for the de-listing procedure. We hope that the Committee will continue to bring greater transparency to its work.

We are of the view that much needs to be done to improve the revised procedures and meet the standards required to ensure a fair hearing for listing or de-listing individuals and entities. We welcome the appointment of the Ombudsperson under resolution 1904 (2009), as it improves compliance with one element of due process, that is, accessibility. The institution of the Ombudsperson can earn credibility if it is mandated to make recommendations, if not decisions, to the Committee, and if its recommendations can lead to binding obligations for Member States.

We are not surprised that the decisions of domestic and international courts and tribunals on the 1267 sanctions regime have garnered worldwide attention. The preventive nature of the sanctions makes the listings very simple and enforcement-friendly. However, the legal community is more inclined to verifiable evidence that might be acceptable in a court of law. The questions of due process and effective remedy are at the heart of courts' deliberations. We should consider the possibility of exclusive sharing of verifiable evidence with courts, and of fixing a time limit on a listing's being in effect.

Pakistan was a member of the Security Council when resolution 1540 (2004) was adopted. We agreed that it was a timely measure for addressing the proliferation of weapons of mass destruction and their means of delivery to non-State actors. We also identified the need to make the resolution's follow-up mechanism more inclusive, transparent and balanced in terms of the responsibilities of States and the international cooperation available to them to achieve its objectives.

Finally, I would once again underscore the evolving nature of the counter-terrorism challenges we are facing and the usefulness of these briefings.

**The President**: I now give the floor to the representative of the Syrian Arab Republic.

**Mr. Ja'afari** (Syrian Arab Republic) (*spoke in Arabic*): I would first like to congratulate your country, Mr. President, on presiding over the Council this month. I also thank your predecessor for doing the same last month. We have also followed attentively the presentations by the Chairs of the Committees in this meeting, and we thank them for their briefings.

As the Council knows, Syria was one of the first States to suffer from the scourge of terrorism, which it fought against using various ways and means. We have condemned terrorism in all its forms and manifestations, whatever its origins, whoever the perpetrators may be and wherever they may come from, whether an individual, a group or a State. Syria has advocated against linking terrorism with any particular religion, ethnicity, nationality or civilization, and has also called for a definition of terrorism under the aegis of the United Nations. We have called for analyzing this phenomenon in all its aspects and for discussing the conditions that lead to its spread. The Syrian Arab Republic reaffirms the need to distinguish between terrorism and the legitimate right of peoples to resist foreign occupation.

We believe that force alone is inadequate in fighting terrorism. It is essential to look at the underlying causes, considering that all of the measures used to counter terrorism must be taken in the framework of international legitimacy and in conformity with countries' obligations stemming from the United Nations Charter and international law. In that regard, Syria reaffirms its compliance with relevant international resolutions concerning the fight against terrorism. We are convinced that the General Assembly plays a central role in the counter-terrorism struggle at the international level, as well as in establishing international consensus.

We believe that the Security Council Committees responsible for fighting terrorism can also play a role in coordinating international counter-terrorism efforts through transparent and neutral mechanisms. We joined the consensus during the adoption of the United Nations Global Counter-Terrorism Strategy in 2006 based on our support for all international efforts to that end and because we are convinced that the Strategy is an important tool for facilitating international cooperation in the fight against terrorism. We did so on condition that Syria's concerns be taken into account with respect to the definition of terrorism and the distinction between State terrorism and resistance. State terrorism is very serious, perhaps the gravest kind of terrorism. The greatest example of it are the daily crimes committed by Israel against the Palestinian people since their occupation of the Arab territories. Perhaps the most abject example of this were the killings that took place during the aggression against Gaza and the freedom flotilla, which was attacked in international waters as it sought to deliver humanitarian assistance to the people of blockaded Gaza, not to mention the assassination of national Palestinian personalities in other countries.

Israel has falsified travel documents for its killers, in flagrant violation of international law, and threatens the use of nuclear terrorism as it flouts international resolutions and law. Our citizens in the occupied Syrian Golan have not been spared terrorism and brutal occupation. Zionist terrorism victimizes the people, trees, stones and the very soil of the occupied Syrian Golan. This is a very clear example of State terrorism in violation of international law, resolutions and legitimacy, as well as human rights law. Syria has also suffered the scourge of terrorism and terrorist acts on its soil, the most recent of which was the operation in Al-Kazzaz in 2008, which was condemned by the Security Council at the time.

Convinced of the central role of the United Nations in fighting terrorism at the international level, Syria cooperates fully with the three Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004). We have created national commissions to ensure the optimum implementation of those resolutions and to promote cooperation with the Committees of the Security Council established to ensure their implementation.

The Syrian Arab Republic is making significant efforts to fight money-laundering and the financing of terrorism. We are members of the Financial Action Task Force (FATF) and the Egmont Group. The international community has recognized these Syrian efforts. The report of the FATF mutual evaluation team highlighted Syria's efforts to that end:

> "The Government of the Syrian Arab Republic has in recent years succeeded in adopting practical measures and important legislation to that end, in conformity with relevant international recommendations".

The mutual evaluation report was a very important step with respect to the confidence of relevant international institutions. The work of the Syrian national commission charged with following up the implementation of the recommendations of the Middle East and North Africa Financial Action Task Force has allowed us to consider amending Legislative Decree No. 33 of 2005, in line with international developments and the recommendations of the FATF.

During his visit to Damascus on 13 December 2007, the Secretary General of INTERPOL declared that "Syria is a pioneer in the fight against terrorism". He also said that "the INTERPOL office in Damascus is one of the 10 best in the world". Given that there are 186 such offices throughout the world, this demonstrates Syria's serious and practical approach to fighting terrorism internationally.

With respect to resolution 1267 (1999) concerning Al-Qaida and the Taliban, we are taking every measure stipulated therein. With respect to resolution 1373 (2001), Syria periodically presents national reports in the framework of international efforts. With respect to resolution 1540 (2004), in 1968 Syria was one of the first signatories to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Syria opposed to the possession of nuclear weapons by any country.

In conclusion, and despite the threat posed to the Middle East by the presence of an occupier that usurps other people's lands and resorts to the worst forms of State terrorism in flagrant disregard of international law and resolutions and of international appeals to sign the NPT, Syria calls on the international community to pressure Israel to comply with international resolutions, in particular those of the Security Council.

**The President**: I give the floor to the representative of Israel.

**Mr. Waxman** (Israel): I thank you, Mr. President, for convening this important debate on counter-terrorism. I would also like to express my appreciation to the Chairpersons of the s committees for their professional work and for their informative briefings this morning.

Considering the crucial role that the United Nations plays in coordinating global counter-terrorism efforts, it is of the utmost importance that there be close cooperation among all three of its subsidiary bodies, as well as with the Counter-Terrorism Implementation Task Force (CTITF), on this issue. We welcome the periodic informal briefings for Member States held by the counter-terrorism committees, and we encourage them to continue to hold them.

In September, at the second review of the United Nations Global Counter-Terrorism Strategy, Member States reaffirmed their collective commitment to making progress on these issues and resolved to implement the Strategy. The review also reaffirmed the important role of the CTITF in enhancing international cooperation and capacity-building in this field.

Every day, at least one Member State suffers from some form of a terrorist attack. No matter whether these attacks are in the form of roadside bombs, letter bombs, suicide bombers, threats to synagogues or kidnappings, their objectives remain the same: to instil fear in the population and advance terrorists' goals through abhorrent violent means.

We in Israel know first-hand the devastation caused by terrorism. Hamas and Hizbullah are among the most dangerous terrorist organizations worldwide, threatening not just Israel's security but also the stability of the entire region. The growing arsenal of missiles and rockets, combined with the continuous transfer and smuggling of weapons and ammunition to these organizations, including by Iran and Syria, represent an imminent threat.

In this regard, it should come as no surprise that the speaker before me lectured all of us about terrorism. Syria is the prime sanctuary for terrorists, hosting the headquarters of numerous terrorist organizations in Damascus and financing, sponsoring and training terrorist activities in and from its soil, in clear violations of resolutions 1373 (2001), 1624 (2005) and 1701 (2006) numerous other resolutions.

An important briefing organized by the Counter-Terrorism Committee Executive Directorate (CTED) in October closely examined the elements of resolutions 1373 (2001) and 1624 (2005) relating to safe haven for terrorists. This issue is of particular concern to my

delegation, as in our region, as I said before, several Member States have granted safe haven to terrorists who seek to attack Israel by any means.

Regarding the Counter-Terrorism Committee and the work of the Counter-Terrorism Committee Executive Directorate, I would like to commend Executive Director Mike Smith for his able leadership. We appreciate his ongoing dialogue with Member States, as well as his valuable informal briefings. My delegation fully supports the renewal of CTED's mandate, which will be considered next month.

Israel continues to strengthen its professional cooperation with CTED and to share best practices with other interested parties, including by means of technical cooperation. For example, Israel was among the donor States that contributed to the successful workshop entitled "Challenges to effective border control facing East African countries", which was held in Nairobi, Kenya, in June. Our contribution to the workshop was part of Israel's broader bilateral cooperation with and technical assistance to States in the Horn of Africa.

In a similar vein, Israel has taken a keen interest in supporting other initiatives in West Africa, Asia and South America in the multilateral, regional and bilateral spheres. Among the particular areas of Israel's bilateral cooperation are those relating to preventing money-laundering and the financing of terrorism, public safety, security aviation, and the protection and security of borders.

In this regard, earlier this month the Israel Export and International Cooperation Institute convened its first Israeli Homeland Security Conference on Security Technology Operations Policies. Among the highlights addressed in the Conference were airport security and innovative methods and technologies for the protection and safety of cities. Over 500 homeland security experts from around the world participated and contributed to its success.

In September 2010, the International Institute for Counter-Terrorism held its tenth annual international conference, in Herzliya, Israel. The conference addressed numerous aspects of counter-terrorism, including aviation terrorism and security, the processes of de-radicalization and the challenges of asymmetric warfare.

Both those conferences served as platforms for enhancing international and bilateral cooperation in that field by providing the essential opportunity for high-profile experts from a wide range of disciplines to establish professional relationships.

Furthermore, Israel's counter-terrorism agencies cooperate with a large number of regional organizations, including NATO, the Organization for Security and Cooperation in Europe, the Inter-American Committee against Terrorism and the Conference on Interaction and Confidence-building Measures in Asia, including in the context of assisting third countries. Israel also closely cooperates with and contributes to the work of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime.

The Security Council Committee established pursuant to 1267 (1999) concerning Al-Qaida and Taliban and associated individuals and entities remains an important part of the effort to isolate terrorists and their means to inflict harm. Israel welcomes the considerable progress made towards promoting clear and fair procedures concerning the inclusion of individuals and entities on the consolidated list. In that regard, we welcome the appointment in June 2010 of Judge Kimberly Prost as Ombudsperson to address key aspects of due process and human rights concerns. We also welcome the recent completion of the review of the consolidated list, following the dedicated work of the Chair of the Committee and its members.

Finally, we believe that it is critical to continue to develop international standards against the proliferation of weapons of mass destruction and dual-use items. The international community must continue to seek and implement measures that keep the world's most dangerous weapons out of the hands of its most dangerous individuals, especially in our region.

In that regard, I wish to reiterate Israel's full support for resolution 1540 (2004). Israel believes that, in order to enhance the dialogue between Member States and the Security Council Committee established pursuant to resolution 1540 (2004), it would be very helpful to receive periodic briefings by the Expert Coordinator on the work of the Committee.

The struggle against terrorism requires our joint will, effort and action. We appreciate this opportunity for dialogue, and will continue to actively engage in

and support the important work of the Council's counter-terrorism Committees.

**The President**: I now give the floor to the representative of Afghanistan.

**Mr. Tanin** (Afghanistan): As this is the first time that I am taking the floor this month, permit me at the outset to congratulate you, Sir, on assuming the presidency of the Council for November. We thank you for holding today's debate on the work of the subsidiary bodies of the Security Council dealing with terrorism.

Afghanistan remains the primary victim of international terrorism. Nearly a decade ago, Afghanistan and the international community joined hands to end the rule of the terrorists and extremists who used our country as a base for international terrorism. Today, notwithstanding important progress on the political, social and economic fronts, the terrorist campaign of the Taliban, Al-Qaida and other extremist groups continues to be the main challenge to Afghanistan's security, reconstruction and development.

As we have echoed time and again in this very Council, terrorism in our part of the world is a growing threat to international peace and security. The enemy we face is part of a complex and sophisticated network, with safe havens and sanctuaries in our region from which terrorists still enjoy support. Afghanistan remains alarmed at the presence of those support centres and reiterates that, unless they are addressed, the terrorism that has been raging like wildfire will, regrettably, continue.

As we speak, our national army and police are engaged in fierce combat against enemy forces in joint military operations with international forces. We have taken the fight to the terrorists and prevented their ability to carry out large-scale conventional attacks. That is why they resort to desperate tactics, such as suicide bombings, assassinations and abductions.

Further, as we get ready to begin the transition process, we have given new focus to building the size and strength of our national army and police. A detailed plan for the transition strategy will be presented at the NATO summit in Lisbon later this week. We are confident that a stronger and more efficient security force will lead to further progress in the fight against terrorism and to improvement in the security situation.

As long as terrorism remains a threat, the fight against it will continue. By the same token, it is widely recognized that military efforts alone are not the solution to Afghanistan's security problem. The reconciliation and reintegration of former combatants with no links to terrorist organizations are critical to achieving lasting peace and security.

Afghanistan commends the Security Council for the able manner in which it is leading international efforts in combating terrorism. In that regard, we highlight the importance of the Security Council Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004).

The 1267 Committee remains one of the most important instruments of the Security Council in countering terrorism. Consistent with resolution 1904 (2009), the Committee has taken a number of important steps to increase the transparency and effectiveness of its work. In July, the Committee revised its working guidelines. Another important achievement is the publication of narrative summaries for listing. That new practice provides Member States with concise information, such as the date of and reason for listing. Moreover, in August the Committee concluded its review of all individuals on the consolidated list, which led to the de-listing of additional names.

We join other speakers in underscoring the importance of a periodic review of the list so as to ensure its accuracy. In that connection, Afghanistan welcomes the de-listing of 10 former Taliban members during the course of the year. Such measures will benefit Afghanistan's peace and reconciliation initiative. That said, we urge the Committee to also give consideration to Afghanistan's additional de-listing requests, and we look forward to the Monitoring Team's visit to Kabul at the end of this month.

In regard to the 1373 Committee, we underscore its important work and welcome the continued efforts of the Committee and its Counter-Terrorism Executive Directorate for increased collaboration with Member States.

Terrorists have proved their readiness to terrorize people, societies and countries as a demonstration of their strength. They will spare no effort and go to all lengths, including resorting to nuclear, chemical and

biological terrorism. In that connection, we commend the ongoing efforts of the 1540 Committee to prevent non-State actors from participating in the proliferation of weapons of mass destruction.

Afghanistan is actively engaged in implementing the relevant Security Council resolutions on terrorism, on which we have presented national reports. Needless to say, Afghanistan is party to all 13 conventions on terrorism. Moreover, Afghanistan's relevant national institutions, in particular the security and judicial sectors, are working diligently to further strengthen our counter-terrorism efforts.

In conclusion, I should like to state that the fight against terrorism is a key component of our partnership with the international community, and we look forward to strengthening that partnership in the coming years.

**The President**: I now give the floor to the representative of the Islamic Republic of Iran.

**Mr. Dehghani** (Islamic Republic of Iran): I thank you, Mr. President, for convening this open debate, which is an excellent opportunity for delegations to hear from the Chairs of the key subsidiary bodies of the Security Council and to provide input into their activities. I also wish to commend the Chairs of the Counter-Terrorism Committee and the Committees established pursuant to resolutions 1267 (1999) and 1540 (2004) for their work and their briefings today. We hope that this debate will help to revitalize and strengthen international cooperation in combating the threat of terrorism under the auspices of the United Nations.

We have all acknowledged and emphasized the important contribution that the United Nations counter-terrorism mechanisms can and should make to our collective effort to fight terrorism. It is in that belief that my Government has been committed to cooperating with these mechanisms, including the Committee established pursuant to resolution 1373 (2001). We highly appreciate the work done by the Counter-Terrorism Committee (CTC) under the able chairmanship of His Excellency Ambassador Apakan.

The Islamic Republic of Iran, as a clear victim of terrorism, has taken great steps to implement the Security Council's resolutions on terrorism, including resolution 1373 (2001). We have submitted six national reports on our implementation of the resolution, in which we have set out the concrete steps that our country has taken to implement the provisions of that and other relevant resolutions. Those steps include stepping up border control security and surveillance measures at entry and exit checkpoints.

Moreover, we have intensified our fight against drug trafficking originating mainly from an eastern neighbouring country. Given the fact that very often proceeds from narcotic drugs are used as a source for the financing of terrorism, Iran's efforts in that regard have undoubtedly made a fundamental contribution to the global fight against terrorism. Just as importantly, we are committed both to fighting terrorism through effective measures that prevent the planning, preparation and execution of acts of terrorism as well as by combating other forms of transnational crime, within our borders and beyond.

In that regard, I should like echo the conclusion of the Chairman of the CTC in his recent report, namely, that the Executive Directorate and the Committee, as important international counter-terrorism bodies and subsidiary organs of the Security Council, could play a great role by "work[ing] with their neighbours so that their common counter-terrorism defences are as effective as possible." (*S/2010/569, annex, para. 39*)

The Islamic Republic of Iran has provided its national report to the Committee established pursuant to resolution 1540 (2004) on the measures it has taken to implement the resolution. As clearly stated in that report, based on its principled positions and contractual commitments and as a State party to all international instruments banning weapons of mass destruction — namely, the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention, the Biological and Toxin Weapons Convention and the 1925 Geneva Protocol — the Islamic Republic of Iran is very keen on the implementation of those treaties. However, the continued existence and development of weapons of mass destruction, the possibility of their use or threat of use and the prospect of non-State actors acquiring such weapons make them all the more threatening to the whole international community.

Despite limited bilateral and unilateral arms reductions, such efforts fall far short of international expectations for real and effective steps towards the total elimination of nuclear weapons. Nuclear-weapon States are obligated to comply with their legally binding commitments to fully work towards the

elimination of their nuclear weapons. It is obvious that, as long as those weapons exist, their continued existence itself and the development and deployment of thousands of nuclear warheads will not only threaten international peace and security; there is also always the risk that they could fall into the hands of terrorists and non-State actors. Therefore, the compliance of all Member States with all their obligations under existing WMD disarmament and non-proliferation conventions, including the universality of those instruments, is vital to eliminating the risk that such weapons could fall into the hands of terrorists and non-State actors.

I would like to reiterate that we will continue to work closely with the counter-terrorism mechanisms established by resolutions 1267 (1999), 1373 (2001) and 1540 (2004). The scourge of terrorism requires the international community to act in concert and in a comprehensive manner, free of double standards and selective and discriminatory considerations and narrowly defined political objectives. The necessary political will and resolve need to be constantly in evidence for the international community to send a truly strong and unambiguous signal of our resolve to fight terrorism in all its forms and manifestations.

Before I conclude, I would like to respond to the reference made to my country by the representative of the Israeli regime. I would like to place on record that my delegation rejects the baseless allegations and distortions in his statement. This is yet another tired practice by that regime to distract the attention of the international community from its State terrorism and possession of a nuclear arsenal, as well as its criminal policies and abhorrent atrocities in the region.

**The President**: I now give the floor to the representative of the Bolivarian Republic of Venezuela.

**Mr. Valero Briceño** (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We would like to congratulate you, Mr. President, on your conduct of this debate.

The fight against terrorism is a responsibility of all countries and should be carried out within the framework of multilateralism and international cooperation based on respect for self-determination, sovereignty and non-interference in the internal affairs States, in accordance with the Charter of United Nations and international and regional conventions and protocols on the subject.

Some Governments draw up lists of countries that allegedly collaborate with this crime, while they shelter dangerous international terrorists on their soil. We should recall that resolutions 1373 (2001) and 1624 (2005) urged States not to give refuge to terrorists and not to resort to political motivations for refusing requests for extradition.

It has been 34 years since the bombing of Cubana Airlines flight 455 over the waters of Barbados, in which 73 innocent civilians were murdered, and Luis Posada Carriles, the person responsible for that terrorist attack, remains free in the United States. On July 2, the Salvadoran terrorist Francisco Chávez Abarca — who is accused of being responsible for several explosive attacks in Cuba — was caught at Venezuela's Maiquetia International Airport. He confessed that he had gone to Venezuela to sabotage the parliamentary elections and that he had the support of Luis Posada Carriles. We therefore reiterate to the Government of the United States our request for the extradition of Luis Posada Carriles or, barring that, at least try him for the terrorist acts he has confessed.

Terrorists Raúl Díaz Peña, Jose Antonio Colina and Germán Rodolfo Varela, sentenced to prison in Venezuela for their involvement in placing bombs at the Spanish and Colombian consulates in 2003, have fled to the United States. Those crimes were committed a few months after the oil sabotage and coup against President Hugo Chávez Frías. Venezuela has requested the Government of the United States to extradite Colina and Varela. But that has been denied and they have been given refuge and protection on the grounds of supposed political asylum. They have also granted a visa to Raúl Díaz Peña, a fugitive from Venezuelan justice.

The Bolivarian Republic of Venezuela supported General Assembly resolution 64/297. We reiterate our commitment to the implementation of the United Nations Global Counter-Terrorism Strategy.

Venezuela is committed to the fight against terrorism in all its forms and manifestations, whatever its origin or motive, including State terrorism, which today is one of the most evil instruments of subjugation and neocolonial domination.

**The President**: I now give the floor to the representative of the Philippines.

**Mr. Sorreta** (Philippines): A copy of my remarks has been distributed, and I would like to deliver a shortened version of those remarks.

Terrorism continues to make its presence felt throughout the world. In its many forms and manifestations, it threatens the peace and stability of nations, endangers the lives of our peoples, impedes national, regional and global growth and development, and more insidiously, it breaks apart the precious bonds between peoples, fostering deep-seated anger, fear, suspicion and intolerance.

All nations share the responsibility of preventing, neutralizing and combating the threat of terrorism. The United Nations Global Counter-Terrorism Strategy is an important step forward in harnessing our collective experience and expertise as we strive to rid the world of the threat of terrorism.

We laud the recent workshop held in Bali, Indonesia, organized by the Counter-Terrorism Implementation Task Force, and we fully support its outcome. We would like to emphasize the point that, if counter-terrorism strategies are to be effective, they must be comprehensive and encompass a combination of hard and soft approaches, including the use of interfaith dialogue, as both instrument and objective, in countering terrorism.

In order to draw nations and peoples closer together in understanding and respect, the Philippines is working closely with Pakistan and other partners again this year on a draft resolution on interreligious and intercultural dialogue and cooperation for peace, which we hope will garner increased support.

As we strive towards further strengthening our capacities to combat terrorism through increased cooperation in intelligence information sharing, we wish to draw cautious attention to the issuance of travel advisories, especially those that relate to possible terrorist attacks. While the Philippines recognizes the responsibility of States to protect their citizens, we believe that Governments must exercise due care and diligence in issuing travel advisories. Advisories affect not only travelling citizens but also the lifeline and economy of a country that is the subject of a travel advisory. Governments must clearly distinguish between threats posed by ordinary criminal elements and those posed by terrorists, which are two very distinct categories. When a travel advisory does not distinguish between the two, it does a disservice to the country issuing it and the country that is subject to it.

Our work is far from done. We must remain steadfast. Only with our sustained commitment and cooperation and a balanced approach can we break terrorism's backbone and win this battle together.

**The President**: The representative of Turkey has asked for the floor to make a further statement.

**Mr. Sevi** (Turkey): Turkey aligns itself with the statement made by the representative of the European Union.

I would like to take this opportunity to make some very brief additional remarks on the sanctions regime under the Committee established pursuant to resolution 1267 (1999). Turkey believes that the overall review process is important and should be undertaken in an effective manner. The Ombudsperson will contribute to the effectiveness of the process and to the rule of law, including by preventing possible unfair application of the listing process. Therefore, we fully support the Ombudsperson.

On the other hand, all counter-terrorism measures should respect the basic human rights of individuals. In this regard, the right to reply and object of those persons who have been added to the consolidated list should be protected.

**The President**: The representative of the United States has asked for the floor to make a further statement.

**Mr. Donovan** (United States of America): Contrary to the statements the Council has heard, the United States has taken a number of actions with respect to Luis Posada Carriles. The actions of the United States are consistent with international law as well as with our domestic legal framework, which provides for due process and various constitutional safeguards.

I would like to give the Council a brief overview of the steps the United States has taken with respect to Posada within our legal framework. Posada entered the United States illegally in early 2005. Posada was detained by immigration authorities in the United States on 17 May 2005, and he was, in accordance with United States law, placed in removal proceedings. This order remains in effect.

Moreover, the United States sought and obtained a criminal indictment charging Posada with violations of our immigration laws. On 8 April 2009, new criminal charges were brought against Posada in that case, accusing him of lying to United States Government officials about his involvement in terrorist bombings that took place in Havana in 1997. Trial in that case is presently scheduled to commence in January 2011.

In sum, with respect to Posada, the United States continues to be engaged in an ongoing series of actions consistent with our legal requirements and due process.

In the case of the five Cubans accused of spying, the facts of the case negate the misrepresentations issued by the Cuban Government and others in relation to it. The Cuban five were tried in United States federal court and were accorded all guarantees of due process provided under the United States Constitution. They were convicted on numerous charges, including acting in the United States as agents of a foreign Power without making the required notification, conspiring to do so and conspiring to defraud the United States concerning its governmental functions and rights. In addition, three were convicted of conspiracy to commit espionage related to the covert penetration of United States military facilities, and one was convicted of conspiracy to commit murder.

The defendants have never denied that they were covert agents of the Cuban regime. The defendants have made full use of their extensive due process rights, benefiting from their vast procedural protections and the provision of United States Government-funded legal assistance. The five convicted Cuban spies are serving sentences in federal institutions throughout the United States. They are held among and have the same privileges as those available to the general prison population.

**The President**: The representative of the Syrian Arab Republic has asked for the floor to make a further statement.

**Mr. Ja'afari** (Syrian Arab Republic) (*spoke in Arabic*): I am sorry for requesting the floor once again.

Nothing justifies terrorism, which my country categorically condemns, whatever the forms, reasons or pretexts. That is our international legal position, sanctioned by the Global Counter-Terrorism Strategy adopted by the United Nations in 2006. My country took an active part in the adoption of the Strategy, which we continue to support.

The ridiculous attempt by the representative of Israel to conflate terrorism, which is a denounced international practice, with the right of peoples under foreign occupation to resist occupation does not deceive anyone. Its only objective is to distract everyone from Israel's State terrorism, which is well known and well documented.

The United Nations, through an historic resolution of the 1970s, declared that occupation was the gravest form of aggression. We take that as a starting point. The United Nations has documented Israeli State terrorism since 1948. This terrorism began, as everyone knows, in the form of terrorist acts carried out by various gangs, such as the Irgun, Stern and Haganah, whose goals were to kill messengers of peace, including in particular Count Bernadotte, the United Nations envoy. This was followed by the mass killing of Palestinians to make them flee their land. The massacres of Deir Yassin, Qibya, Kafr Qasem, Jenin, Beit Hanoun and various others are well known to everyone.

Next, this State terrorism took aim at neighbouring countries: Qana 1, Qana 2, the Golan, Tunis, the Sudan, Egypt and Jordan; finally, as we know, it reached Dubai. Among all these acts, Israel hijacked a civilian aircraft — a Syrian plane — for the first time in 1954. Then, in 1971, it brought down a civilian Libyan plane.

Conventional terrorism has recently been transformed into nuclear terrorism.

Israel, as everyone knows, spies on its closest allies, including the United States of America. A great number of former Israeli officers work in the trade in children's organs, as has been internationally documented.

I recall that Israel has set up 600 military checkpoints in the West Bank in a space that is no bigger than 5,000 square kilometres — one can picture Manhattan, for example, with 600 security checkpoints. Moreover, the settlements number in the hundreds, devouring swathes of territory, killing inhabitants and driving out the Palestinians. There is also the internationally condemned and criminal blockade of Gaza and daily threats of war and aggression.

The illegal arms trade conducted by Israel fuels terrorism, as we know. According to international reports, including a report on arms published in Sweden, Israel is ranked fourth among States active in the international arms trade. If that does not constitute terrorism, and if strangling peace is not international terrorism, then what is terrorism? The Security Council must question and stop Israeli State terrorism and make no exception for Israel or allow it to be above the law.

**The President**: The representative of Lebanon has asked to make a further statement.

**Mr. Salam** (Lebanon) (*spoke in Arabic*): Lebanon regrets the fact that some speakers have tried to use today's debate to distract us from our main work, which is to consider the work of the technical committees involved in the fight against terrorism. We therefore reject the conflation of the legitimate right of people to resist foreign occupation with terrorism. Worse still, the party that did so was the one that not only occupies other people's territories, but also attacks its neighbours and defies this Council's resolutions and the provisions of international law. We therefore see an absolute need to agree unanimously on a definition of terrorism, which my delegation has long called for.

**The President**: The representative of Cuba has asked for the floor to make a further statement.

**Mr. Núñez Mosquera** (Cuba) (*spoke in Spanish*): Given the reports that we have submitted to it, the Security Council is very familiar with the case of the well known, self-confessed terrorist Luis Posada Carriles, who is responsible for the mid-air explosion of a Cubana de Aviación plane with 73 people on board. He is also responsible for many acts of terrorism against my country in which citizens of other countries have also died. Despite the fact that it has all the evidence against Posada Carriles that we have provided, the Government of the United States, as its representative has just acknowledged, refuses to try Posada Carriles for terrorism and prosecutes him instead on minor charges.

Cuba reiterates that the handling of the case of Posada Carriles by the Government of the United States, if he is not extradited to Venezuela or tried as what he is, a well known terrorist, is a flagrant violation of resolution 1373 (2001).

The revealing statements made by the confessed terrorist Francisco Chávez Abarca, who was detained by the Venezuelan authorities as he was attempting to carry out an attack against stability in that country and other brotherly countries, confirm details of the new pathways being exploited by international terrorism and provide irrefutable proof of the guilt of Posada Carriles and his sponsor, the United States. The plans of this terrorist included sinking ships loaded with oil en route to Cuba.

The case of the five young anti-terrorist Cubans in the United States is also well known, despite the wall of silence that the Government of the United States has sought to set up around them. These five young Cubans infiltrated terrorist organizations in the United States and uncovered plans for terrorist acts against Cuba that would have claimed the lives of Cuban and United States citizens. The Cuban Government delivered all of that information to the United States Government. Instead of imprisoning the terrorists, the United States Government imprisoned the five young Cuban counter-terrorists. They were sentenced unjustly to long periods of incarceration in a rigged and politically manipulated trial, without evidence, in the city of Miami, surrounded by intense media propaganda. Even the prosecutor admitted that there was not enough evidence to support any of the charges made against them. Nonetheless, they find themselves unjustly imprisoned in this country. The Working Group on Arbitrary Detention of the defunct Commission on Human Rights spoke out on this case. Many organizations of international lawyers throughout the world have spoken out about this case. The case is well known despite the wall of silence that attempts have been made to erect around it.

Over the past 50 years, my country has been the victim of many terrorist acts organized within the territory of the United States. Those acts have claimed 3,478 lives in my country, and a further 2,099 people have been injured.

Double standards cannot prevail when it comes to terrorism. It will never be possible to eradicate terrorism if only some acts are condemned while others are covered up.

Cuba urges the United States Government once again to try Posada Carriles as what he is — a terrorist. Cuba urges once again — backed by the clamour of the international community and the growing clamour of

the people of the United States, despite the wall of silence that the authorities wish to establish around this case — for the five Cuban anti-terrorist fighters to be set free.

**The President**: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 2 p.m.*